

By order of the Fiscal Court of Garrard County KY the following restrictions shall be placed on manufactured and mobile homes.

No manufactured or mobile home shall be erected, set-up, or brought onto property in Garrard County, Kentucky without first applying and receiving a permit for placement and habitation of the home. A manufactured or mobile home may not be placed on a lot smaller than 3 acre and must employ a minimum of 150 feet of road frontage. Any variance from the lot requirements must be approved by the Fiscal Court. Prior to issuance of the placement and habitation permit the owner must have septic or sewer approval and an electric permit must be obtained.

All installations of manufactured homes and mobile homes shall be performed by an installer certified under the provisions of KRS 227.560. Proof of the certification of the installer must be provided.

A certificate of occupancy must be issued for a manufactured or mobile home before it is inhabited.

A manufactured home or mobile home as defined in KRS 227.550, which does not bear a seal certifying that it was manufactured in accordance with the Federal Manufactured Home Construction and Safety Standards Act and not bearing either a Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal is not acceptable for residential occupation.

Except for manufactured or mobile homes installed within the Commonwealth of Kentucky before July 13, 2004, no person shall sell, lease, rent, or furnish for use as a dwelling in the Commonwealth of Kentucky any previously owned manufactured or mobile home that does not bear a B1 Seal and which is not installed in compliance with the manufacturer's instructions, if available, or ANSI 225.1, Manufactured Home Installations. The sell, lease or rental of any unit installed before July 13, 2004 requires an affidavit signed by the owner and notarized indicating the installation date.

Mobile homes or manufactured homes to be used for storage and not human habitation may be erected and used if that unit has a B-2 seal provided it meets all other applicable conditions herein, except that it need not pass

electrical inspection if there is no electricity in the unit and it need not meet plumbing, sewer, or septic tank inspections if it has no running water. The unit may not, under any circumstances, be inhabited.

All manufactured and mobile homes must have underpinning or skirting along the entire perimeter of the home that is comprised of masonry, treated wood, plastic, or other material all of which must compliment the home and it's surroundings. The underpinning or skirting must be in place within 60 days of issuance of the placement and habitation permit.

All porches, decks, stairs and entrances to a manufactured or mobile home must comply with the current version of the KY residential building code and other imposed restrictions implemented in Garrard County. This includes entrance drive culverts from the main roadway where necessary.

Every manufactured or mobile home as defined in KRS 227.550 shall have:

- (a) At least one (1) working smoke detector located inside the home near the bedroom areas on each floor level; and
- (b) At least two (2) operable means of egress, if the home was originally equipped with at least two (2) means.

When installing or relocating a manufactured home or mobile home, a determination must be made as to whether the location is within the Flood Hazard Zone .

Whenever a unit is placed on an existing lot within the flood plain, or whenever a unit located within the flood plain is substantially improved, the owner or resident must apply for a Construction in a Flood Plain permit in addition to the placement and habitation permit.

Permits under this ordinance shall be issued by the Garrard County Judge/Executive office, units subject to this ordinance shall be subject to inspection by the Judge/Executive or his designee. The Judge/Executive or his designee shall impose reasonable charges for permits and inspections.

Existing units which would not meet these standards may not be relocated regardless of whether or not ownership of the unit changes, unless a valid permit is first obtained.

Storage of mobile homes or manufactured homes in Garrard County is prohibited, except for manufactured home dealers holding a valid Kentucky

dealer's permit, and except for units permitted under this ordinance. Units that are considered abandoned (not occupied for three or more years) is prohibited.

Units located within the City limits of Lancaster, Kentucky are subject to the Planning and Zoning Ordinances of the City of Lancaster in addition to this ordinance.

Any landowner upon whose land an un-permitted unit is located, or title owner of any un-permitted unit, located in Garrard County for more than 120 days without obtaining a permit and complying with this Ordinance shall be deemed to have violated this Ordinance and shall be subject to the following:

A) A civil sanction or forfeiture of the un-permitted mobile home or manufactured home, which shall be removed at once from this county by the owner or landowner, and if not, may be removed by Garrard County with the costs charged to the owner or landowner and disposed of at the expenses of the owner or landowner.

B) Criminal penalties equivalent to a Class-A misdemeanor under the Kentucky Penal Code, that being a fine up to \$500 and up to 12 months, in jail, or both.

C) Each day of nonconformance after the expiration of 120 days shall be considered a new violation.

Definitions:

A) Manufactured Home Constructions and Safety Standards - The standards for the construction, design, and performance of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280,3282,3283, and 42 USC 5401, ET Seq. and as mandated in the United States of America and as administered by the United States Department of Housing and Urban Development, commonly referred to as the HUD Code.

B) Manufactured home is defined as a single-family residential dwelling unit fabricated as defined in KRS 227.550 on or after June 15, 1976, in an off – site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the Federal Manufacturing Housing Construction and Safety Standards, as defined in Section 2.0.

C) Mobile home is defined as a structure manufactured prior to June 15, 1976 which was not required to be constructed in accordance with the federal act, which is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. These homes bear a numbered Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal.

D) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle not requiring a special permit for movement on Kentucky highways. The basic entities are: travel trailer, camping trailer, truck camper, motor home, and park vehicle.

(a) Travel trailer: A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and with a living area of less than two hundred twenty (220) square feet, excluding built-in equipment (such as wardrobes, closets, cabinets, kitchen units, or fixtures) and bath and toilet rooms.

(b) Camping trailer: A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the camp site to provide temporary living quarters for recreational, camping, or travel use.

(c) Truck campers: A portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.

(d) Park vehicle: A vehicle which:

1. Is built on a single chassis mounted on wheels;
2. Is primarily designed as temporary living quarters for seasonal or destination camping and which may be connected to utilities necessary for operation of installed fixtures and appliances;
3. Has a gross trailer area not exceeding four hundred (400) square feet in

the set-up mode;

4. Has a gross trailer area not less than two hundred forty (240) square feet and is certified by the manufacturer as complying with ANSI A119.5, Park Vehicles.

(e) Motor home: A vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle.

Certified installer- means the individual certified, in accordance with 815 KAR 25:080, to install manufactured and mobile homes.

CODE OFFICIAL'S RESPONSIBILITIES

Local code officials are mainly responsible for site work on the installation of the home, checking for external transportation damage, enforcing installation instructions, enforcing special conditions or limitations of use stipulated by the label, and enforcing applicable county and building code requirements which do not govern the design and construction of the home.

Three inspections are to be conducted on the installation of the unit before a certificate of occupancy is issued.

#0 Plan review of the site sketch (layout), septic approval, review of new unit installation instructions or confirmation of B1 seal or affidavit and verification of certified installer.

#1

- Site preparation including placement of the unit on the lot, review of set-backs from lot lines and other buildings and/or any lot restrictions
- Check that all organic materials are removed from under the structure to prevent termites and poor footing
- Check for proper drainage (no standing water)
- Check footer and vapor barrier

#2

- Check pier location and foundation was installed to manufacturers requirements or ANSI A225.1, 1994
- Check cap blocks on piers (4 in. solid at top). Single block piers allowed up to 36 in., double block piers to 80 in. and double with solid grout over 80 in.
- Check anchor installation

#3

- Check underpinning
- Check crawl ventilation (1 sqft per 150sqft floor area)
- Check crawl access (18x24 min)
- Check all condensation, dryer vents, combustion air inlets pass to the outside of crawl
- Check all utilities have been approved
- Check all landings, sidewalks, porches, decks

- Check final grade

815 KAR 25:090. Site preparation and installation minimum requirements.

RELATES TO: KRS 227.550, 227.570, 227.590(2), 227.660, 227.990

STATUTORY AUTHORITY: KRS 227.570(2), 227.590(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 227.570(2) requires the office to enforce standards of installation, adopted by the Manufactured Home Certification and Licensure Board, as it determines are reasonably necessary to protect public health and safety. KRS 227.590(1) charges the board with establishing the standards and the office with enforcing state and federal law. This administrative regulation establishes minimum requirements for the installation of manufactured homes on permanent foundations.

Section 1. Definitions. (1) "ANSI" means the American National Standards Institute as referenced in ANSI-A225.1, Manufactured Home Installations, 1994 Edition, incorporated by reference.

(2) "Board" is defined in KRS 227.550(1).

(3) "Certified installer" means the individual certified, in accordance with 815 KAR 25:080, to install manufactured homes.

(4) "Installation" means the work performed by a certified installer on-site and the operations involved in the delivery, permanent securing, and placement of a manufactured home for the purpose of human occupancy, to:

(a) Include the following:

1. Preparation of a permanent foundation;
2. Placement of polyvinyl covering on the ground, if applicable;
3. Placement and connection of utilities performed by appropriately-licensed contractors;
4. Anchoring and tying down; and
5. Installation of other accessory or appurtenance specified in the sales contract; and

(b) Exclude the following:

1. Site preparation; and
2. For a single-section home, ground set after site preparation.

(5) "Office" is defined in KRS 227.550(11).

(6) "Permanent foundation" means a system of supports:

(a) Capable of transferring without failure, into soil or bedrock, the maximum design load imposed by or upon the structure;

(b) Constructed of concrete; and

(c) Placed at a depth below grade adequate to prevent frost damage.

(7) "Placement" means blocking, leveling, and anchoring a manufactured home upon a foundation system prior to occupancy.

(8) "Retailer" is defined in KRS 227.550(4).

(9) "Site preparation" means work performed on the land in preparation for installation of the home:

(a) Including:

1. Clearing and initial grading;

2. Water drainage; and
3. Vegetation control; and
- (b) Excluding final grading after the home has been set.

Section 2. Minimum Site Preparation and Installation Standards. (1) Site preparation, installation, and ground anchoring of a new home or a used home with a B1 seal shall be performed in accordance with KRS 227.570(3).

(2) The permanent foundation system shall include:

- (a) Piers set partially or completely below grade;
- (b) Footers and perimeter blocking, if required;
- (c) Ground anchors;
- (d) Concrete slab;
- (e) Continuous and pot footings;
- (f) Pile or post systems;
- (g) Pile and post systems;
- (h) Concrete, concrete block, or other load bearing perimeter walls; or
- (i) Another foundation system approved by a licensed engineer.

(3) The following parts of the chassis of a manufactured home shall be removed after the on-site construction of a permanent foundation:

- (a) Towing hitch;
- (b) Running gear;
- (c) Axles;
- (d) Brakes;
- (e) Wheels; and
- (f) Other parts that operate only during transport.

(4) A foundation footing shall be considered frost-free if its depth is twelve (12) inches from grade level under the I-beam.

(5) A perimeter footing shall be considered frost-free if its depth is twenty-four (24) inches from the final grade.

Section 3. Installation Inspections and Responsibility. (1) A retailer shall:

(a) With respect to responsibility for site preparation and installation services;

1. Perform site preparation and installation services;

2. Contract with an independent certified installer to perform site preparation or installation services; or

3. Assist a requesting purchaser to document the purchaser's voluntary responsibility to perform site preparation and installation functions specified in Form KMH 101 and the contract by:

a. Providing Form KMH 101;

b. Explaining the provisions of Form KMH 101;

c. Assisting in the completion of Form KMH 101;

d. Determining the readiness of the site before the home is delivered, if the contract and form relieve the retailer of the foundation construction function;

e. Providing the manufacturer's footing design, which the office will inspect;

f. Collecting an on-site inspection fee of \$100 from the purchaser at the time the contract is signed; and

- g. Remitting the inspection fee to the office at the time of the inspection;
- (b) Supply the purchaser with Form KMH 102 at the time the contract for sale of a new or B1 seal home is executed;
- (c) Before constructing a foundation, inspect the site for soil stability, height requirements, and vegetation removal;
- (d) Ascertain that a problem revealed by site inspection is properly resolved;
- (e) When satisfied that the foundation is ready for the home to be set, notify the office, by telephone, facsimile machine, or mail, at least three (3) working days before delivering the home to the consumer's site; and
- (f) Not deliver or set up a home for which the retailer has requested a preinstallation inspection pursuant to paragraph (e) of this subsection, unless:
 - 1. An office inspector issues Form KMH 104; or
 - 2. The office fails to inspect within three (3) days of receipt of the notice required by paragraph (e) of this subsection; and
 - 3. Foundation work has been performed properly; and
- (g) If a foundation inspection is required, forward to the Office of the State Fire Marshal a completed Form KMH 105, Request for Inspection. The retailer shall hold the inspection fee and Form KMH 101 until both items can be retrieved by the inspector from the State Fire Marshal's Office prior to the inspection.
- (2) The inspector shall:
 - (a) Provide a written report, on Form KMH 104, to the office, the retailer, and the purchaser:
 - 1. Approving the foundation construction; or
 - 2. Specifying corrective action required in order to meet minimum standards for delivery of the home; and
 - (b) Not issue Form KMH 104 if the preinstallation inspection reveals nonconformity with an applicable standard.
 - (3) A retailer shall not set a home on a permanent foundation that does not comply with manufacturer's instructions.
 - (4) This administrative regulation shall not be construed to relieve any other person involved in the installation of the home from legal liability based upon that person's conduct.
 - (5) Postinstallation actions.
 - (a) The office shall order the retailer to take corrective action to bring a home into compliance if an inspection reveals that the home has been installed in violation of:
 - 1. Minimum installation requirements; or
 - 2. A contract of sale and Form KMH 101 that place responsibility on the retailer.
 - (b) A retailer failing to correct deficiencies ordered corrected by the office shall be subject to the sanctions authorized by KRS 227.630 and 227.640.

Section 4. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "ANSI A225.1, Manufactured Home Installations", 1994 Edition;
- (b) "Form KMH 101, Consumer Protection Notice", September, 2007;
- (c) "Form KMH 102, Site Preparation", Foundation and Installation Guidelines, September, 2007;

(d) "Form KMH 104, Release for Delivery", September, 2007; and

(e) "Form KMH 105, Request for Inspection", September, 2007.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Housing, Buildings and Construction, Division of Fire Prevention, Manufactured Housing Section, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (27 Ky.R. 2979; Am. 3261; eff. 6-8-2001; 29 Ky.R. 571; 965; eff. 10-16-2002; 34 Ky.R. 876; 1436; eff. 1-4-2008.)

GARRARD COUNTY AFFIDAVIT FOR PREVIOUSLY OWNED
MANUFACTURED/MOBILE HOMES

As per KRS 227.605

**227.605 Class B1 seal required prior to sale or use as a dwelling of previously
owned manufactured or mobile home transported into Commonwealth --
Homes installed before July 13, 2004, excepted.**

(1) No person shall transport into the Commonwealth of Kentucky any previously owned manufactured or mobile home for the purpose of resale or use as a dwelling in the Commonwealth of Kentucky unless the previously owned manufactured or mobile home has a B1 Seal attached to it prior to resale or use as a dwelling. The application and certification procedures for the attachment of the B1 Seal prior to the resale or occupancy of the manufactured or mobile home shall be set out by the office through the promulgation of administrative regulations in accordance with the provisions of KRS Chapter 13A. Nothing in this section shall require a person who owns a manufactured or mobile home in another state and who transports that manufactured or mobile home into the Commonwealth of Kentucky to use as that person's dwelling to obtain a Class B seal.

(2) Except for manufactured or mobile homes installed within the Commonwealth of Kentucky before July 13, 2004, no person shall sell, lease, rent, or furnish for use as a dwelling in the Commonwealth of Kentucky any previously owned manufactured or mobile home that does not bear a B1 Seal and which is not installed in compliance with the manufacturer's instructions, if available, or ANSI 225.1, Manufactured Home Installations.

Effective: July 13, 2004

History: Created 2004 Ky. Acts ch. 74, sec. 13, effective July 13, 2004.

I, the undersigned do solemnly swear or affirm, that the previously owned manufactured/mobile home was installed in the Commonwealth of Kentucky prior to July 13, 2004, has not been moved from the site after July 13, 2004, and does not require the inspection from the State Fire Marshal per KRS 227.605 (2).

Name: _____

Address: _____

City: _____ County: _____

Manufacturer of Home: _____

Serial Number: _____ HUD Label(s): _____

Seller

Subscribed and sworn to before me this _____ day of _____, 20____

My Commission expires _____, 20____

Name of Notary Public _____

