

The Act

Pennsylvania Statutes Title 35 P.S. Health and Safety § 1651.5.

This chapter interprets and makes specific the provisions of the act, as provided in section 5 of the act (35 P.S. § 1651.5).

This chapter establishes administrative procedures for the implementation of the act which will facilitate the use of industrialized housing, buildings, and housing or building components in this Commonwealth consistent with safeguarding the health, safety and welfare of citizens of this Commonwealth and will carry out the purposes set forth in the legislative findings in section 2 of the act (35 P.S. § 1651.2). More specifically, this chapter is intended primarily to achieve the following objectives:

(1) Establish uniform standards affecting health, safety and welfare for the design, use of materials and methods of construction for industrialized housing, buildings, and housing or building components intended for sale, lease or installation for use in this Commonwealth.

The provisions of this § 145.2 adopted July 12, 1974, effective July 13, 1974, 14 Pa.B. 1403; amended November 4, 2016, effective November 6, 2017, 46 Pa.B. 6976.



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From the IH Act



§ 145.2. Purpose.

§ 145.2. Purposo.

This chapter interprets and makes specific the provisions of the act, as provided in section 5 of the act (15 P.S. § 1651.5). This chapter establishes administrative procedures for the implementation of the act which will facilitate the use of industriated hostings, buildings, and housing or building components in this Commonwealth consistent with safeguarding the health, safety, and welfare of citizens of this Commonwealth and will carry out the purposes set forth in the legislative frindings in section 2 of the act (35 P.S. §1651.2). More specifically, this chapter is intended primarily to achieve the following objectives:

§ 145.3. Scope.

§ 149.3. SCOPD.
Secretary to the extent otherwise stated in the act and the provisions of this chapter and in other applicable laws of Commonwealth which are not inconsistent with or superseded by the act and this chapter, this chapter governs the design, manufacture, storage, transportation and installation of industrialized bousing, buildings, and housing or building components which are sold, leased, or installed, or are intended for sale, lease, or installation, for use on aste in this Commonwealth, Industrialized buildings manufactured before November 6, 2017, may continue to be utilized in this Commonwealth subject to approval of the local code official.





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Exemption

Manufactured & Industrialized Housing R403.25 S901(a)

(a) Manufactured housing is governed by the following under section 901(a) of the act (35 P.S. § 7210.901(a)):

(1) Except as provided in paragraph (2), the Uniform Construction Code does not apply to new manufactured housing assembled by and shipped from the manufacturer and which bears a label which certifies that it conforms to Federal construction and safety standards adopted under the Housing and Community Development Act of 1974 (42 U.S.C.A. §§ 5401—5426) and installation of new manufactured housing in conformity with the manufacturer's approved design applicable to the particular hone.

(2) Construction activities or processes including utility connections and grading not addressed by the manufacturer sapproved design must comply with the Uniform Construction Code.

(3) The Uniform Construction Code applies to the following:

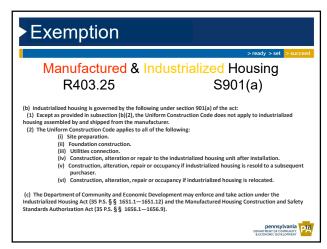
(i) Alteration or repair to the unit that does not fall within 24 CFR 3280.1—3280.904 (relating to manufactured home construction and safety standards) and the manufacturer's installation instructions after assembly and shipment by the manufacturer.

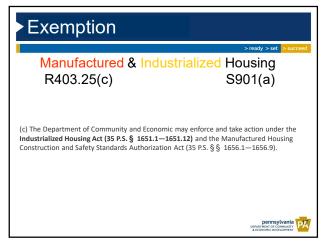
(ii) Additions to the unit after delivery to the site.

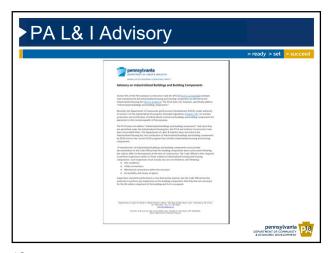
(iii) Construction, alteration, repair or change of occupancy if the manufactured housing is resold to a subsequent purchaser.

- subsequent purchaser.
 (iv) Construction, alteration, repair or change of occupancy if the original purchaser relocates the manufactured housing.









PA L&I's Position UCC Sections <u>not enforced</u> by construction code officials under <u>Industrialized Housing Act</u> § 401.3. Certification required. A person may not perform a plan review of construction documents, inspect construction or equipment, or administer enforce the Uniform Construction Code without being currently certified or registered by the Department in the category applicable to the work that is to be performed. A person may not approve plans or perform inspections relating to accessibility requirements without being certified by the Department as an accessibility inspector/plans examiner.

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PA L&I's Position

All plan reviews and inspections with respect to the building as constructed offsite are conducted by ICC certified third party agencies, plans examiners, and inspectors under DCED's authority!



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PA L&I's Position

- Since DCED is not requiring UCC certifications (do require ICC) for *any* plans examiner or inspector of the building offsite, the code administrator is also not enforcing UCC Section 401.6 or Section 401.7 with respect to certification categories or category specification.
- This applies *only* to the building while *offsite* and not for plan review or inspection onsite for those portions that are completed on-site.





PA L&I's Position

§ 401.13. List of code administrators.

The Department will maintain a list of code administrators indicating their categories of certifications on its Internet website (www.dli.state.pa.us). The Department will also make the list available to municipalities and, upon request, the

The Department will continue to maintain the list as required by UCC 401.13 but will not have information on anyone not registered with the Department, such as the ICC certified plans examiners and inspectors approved by DCED and not Commonwealth registration.



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PA L&I's Position

UCC Sections partially not enforced by construction code officials under Industrialized **Housing Act**



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PA L&I's Position

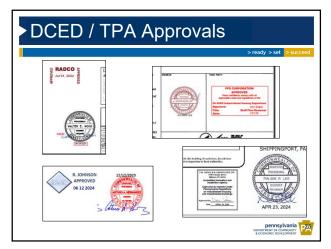
§ 403.42a. Permit application.

(c) A licensed architect or licensed professional engineer shall prepare the construction documents under the Architects Licensure Law (63 P. S. § § 34.1—34.22), or the Engineer, Land Surveyor and Geologist Registration Law (63 P. S. § § 148—158.2). An unlicensed person may prepare design documents for the remodeling or alteration of a building if there is no compensation and the remodeling or alteration does not relate to additions to the building or changes to the building's structure or means of egress.

DCED ensures that design and preparation of construction documents for construction of *offsite buildings* will be in compliance with regulations and the applicable (local) codes. It will remain the code official's responsibility to ensure compliance with this section for all onsite requirements and construction. All alterations and modifications that occur prior to the completion of the sale, the home manufacturer MUST provide approval to the local official.

Should any remodeling or alterations occur after the sale, the local official has the authority as it occurred on-site and without manufacturers oversight.





PA L&I's Position

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- Utility connections shown on construction drawings shall be reviewed for compliance with applicable codes by certified electrical, plumbing, and mechanical plans examiners.
- All accessibility elements will be reviewed by the certified accessibility plans examiner retained by the BCO within their jurisdiction.
- Local officials will NOT be held accountable for factory related issues! If local official sees any issue, they have authority to stop work.



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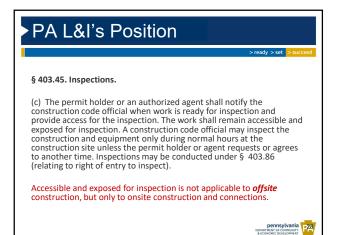
If a problem is found.....

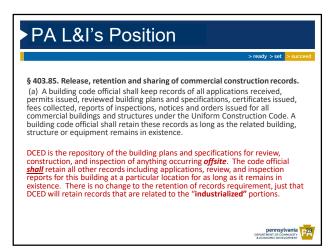
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".....and there's an issue with the ADA toilets in the restrooms, that was done at the factory."

pennsylvania





▶ DCED's Role ✓ Enable the industry to design and construct to a uniform standard ✓ Provide assurance that off site construction follows an approved quality assurance program (production facilities) ✓ Including plan review and inspection ✓ With mechanisms to address problem ✓ Consumers and public protected through continual monitoring ✓ Provides for monitoring of QA program on behalf of the local code officials! ✓ Provides for continuity and cooperation with other Commonwealth agencies.

Appropriate Use

Industrialized Housing and Manufactured Housing to be used only for residential applications

- Manufactured housing is single family only
 - Attached manufactured housing
- Industrialized housing is One & Two Family Dwellings, Townhouses and other construction under Use Group R
- Industrialized buildings used for other than Group R.



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DCEDs Role

Industrialized Housing and Buildings

DCED establishes building code

- The current IRC and / or IBC
 - Generally consistent with UCC (different timeframe)
 - Local amendments may be recognized per §145.45 (buildings included)
- · Provides mechanisms for building plan review and inspections
 - Through independent third-party agencies
 - DCED provides oversight
- · Dialogue with local municipalities



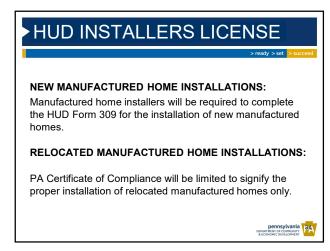
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DCEDs Role

Manufactured Housing (new homes only)

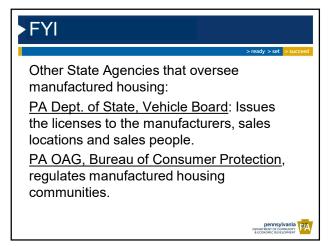
- · HUD (federal government) establishes building code - Affordable, performance-based standard
- · HUD establishes installation standard
 - *Generally, follows manufactures instructions (UCC considerations still apply)
- HUD and DCED monitor manufacturers
- DCED monitors retailers
- HUD trains and licenses installers
- DCED trains municipal inspectors
- DCED engages dialogue with local municipalities

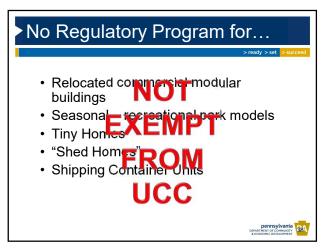












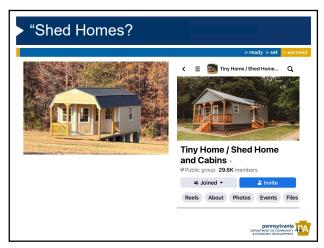










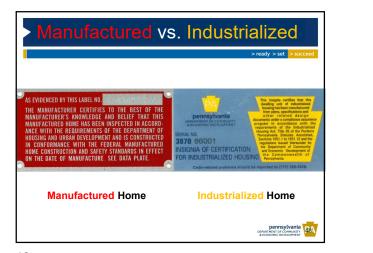






<mark>vlanufactured</mark> vs. Industrialized **HUD Code** IRC or IBC Builders Vehicle Dealers No requirement Licensed Installers Site Installation Inspection HUD Form 309 form & Notice of Approval Installation to manufacturer Installation to manufacturer design design Permanently transportable Not transported once installed Real estate Vehicle

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Regulations §403.25 Manufactured Housing – The UCC DOES NOT apply to: NEW (certified) manufactured housing - Assembled by manufacturer - Shipped by manufacturer - Installation in conformance with manufacturers designs Construction or processes not addressed by approved design, (HUD code) must comply with UCC



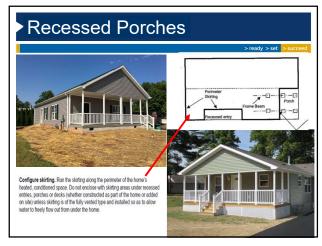
Examples of Preemption Arch Fault Protection – addressed under Sec. 801(b), says, "not required". PREEMPT Roof Live Load – addressed under Sec 305(c)(3)(C), 20Lb roof load minimum in PA. PREEMPT Fire Suppression* - NOT PREEMPT (must follow local requirements, cannot be discriminative)

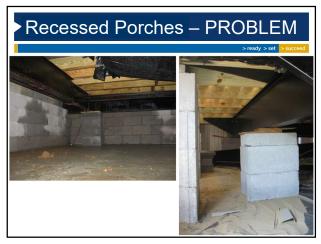








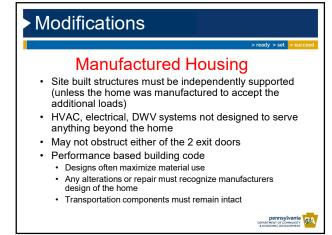




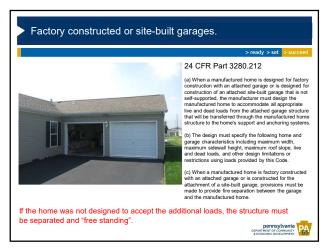
Regulations §403.25 Manufactured Housing – The UCC applies to: - Utility Connection & Site Grading - Alteration or repair outside of the Manufactured Home Construction and Safety Standard

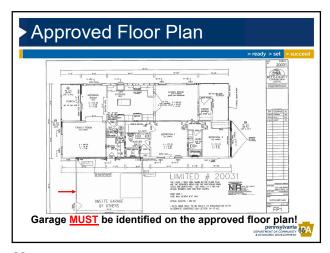


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Regulations §403.25 Manufactured Housing – The UCC applies to: - Utility Connection & Site Grading - Alteration or repair outside of the Manufactured Home Construction and Safety Standard - Additions to the unit after delivery - Construction, alteration, repair or change of occupancy if resold or relocated



Uniform Construction Code

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Regarding Manufactured Housing the UCC applies to issues such as:

- Soil issues
 - Frost heave protection, bearing capacity, site grading...
- Basement/Masonry Crawl Space design/construction
- Stair geometry-railings-guards
- Porches, decks, garages, etc.
- Connection to utilities
- After market alterations



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Act 40 of 2012

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RELOCATED (used) Manufactured Housing

"Relocated manufactured home." A manufactured home which has been transported to a site other than its original installation site."

Act of May. 8, 2012, P.L. 257, No. 40



Act 40 of 2012

RELOCATED (used) Manufactured Housing

- · Federal & State programs end with first purchaser - Manufacturers no longer certify
- Not exempt from UCC (Deemed to Comply)
 - Habitability
- · Local authority still has jurisdiction
- · In terms of installation:
- Manufacturers installation instructions
 - PHRC Field Guide for Relocated Manufactured Housing
 - DCED Guidelines



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Installer is required.....

RELOCATED (used) Manufactured Housing

 Before issuing a building permit for a relocated manufactured home, have permit applicant provide the name and HUD licensed installer.

DCED website has partial list of installers on website.

www.dced.pa.gov/mh



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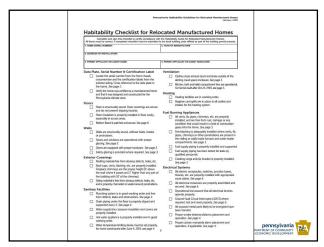
Habitability Guidelines



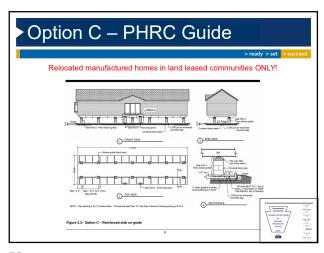
- Permit applicant or agent completes Habitability Checklist to "certify" the home meets this guideline.
- Provides code official some guidance as well as legal path to
- Allows for repairs to be made (Appendences for floor, wall and ceiling repairs provided)
- Speaks to manufactured homes (June 1976 or later) and specific to time of construction.

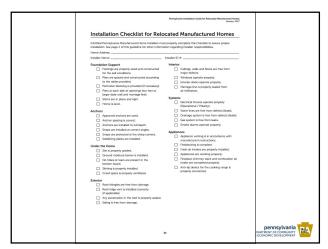




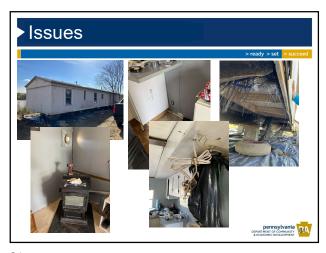






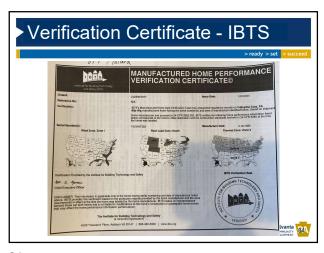




















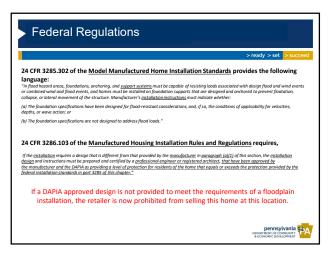


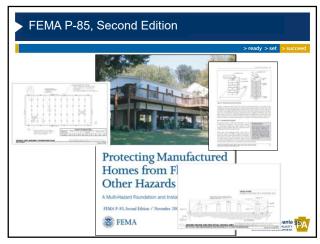




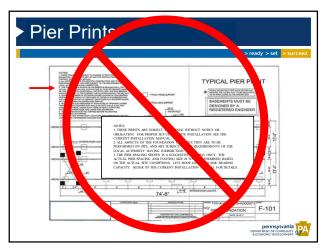


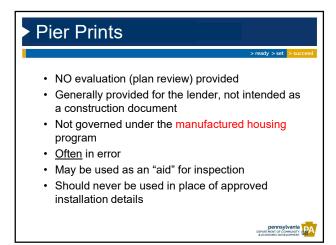


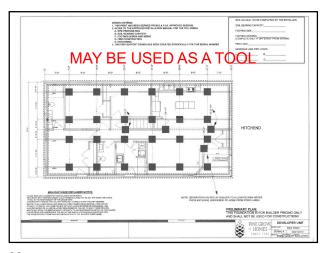




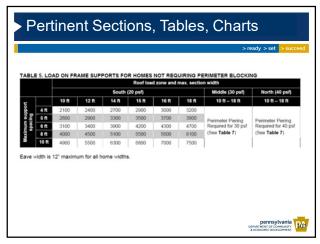


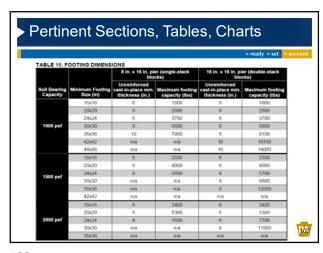


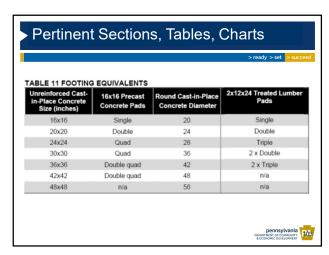




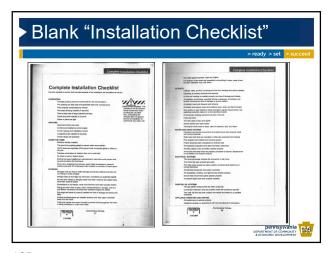






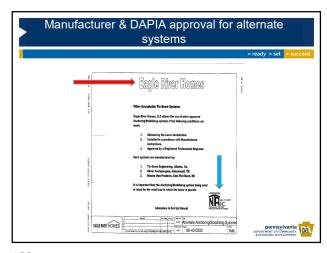












Permitting

- · Required documents specific to the manufactured homes:
 - Approved manufacturer installation instructions
 - Pertinent sections, tables, charts highlighted
 - · Blank "Installation Checklist"
 - BCO should request completed checklist prior to Certificate of Occupancy
 - Manufacturer & DAPIA approval for any alternate systems proposed
 - HUD installer identification



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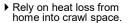
Questions to ask at Permit Application

- Who will be the responsible installer?
- · Foundation type?
 - Piers-basement-crawl space
- · Soil Bearing Capacity
 - Method used to determine
- Footing size & depth (frost)?
- Pier type-spacing, location, perimeter?
- · Anchor type?
- · Decks, porches, etc...



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Shallow Frost Foundations



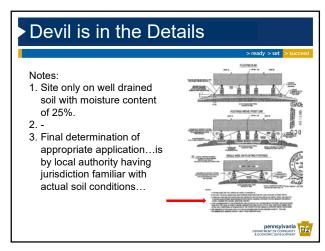
- Manufactured homes floors are insulated from crawl space
- ▶ Designs place burden of acceptance on code official.
- Generally, floating slabs or shallow frost foundations should not be accepted.



Cannot apply IRC or ASCE 32-01 to a manufactured home

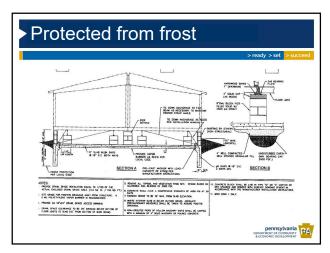




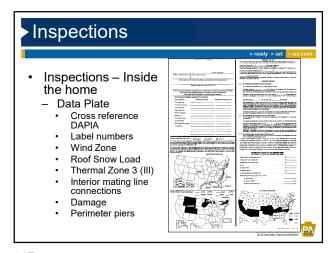








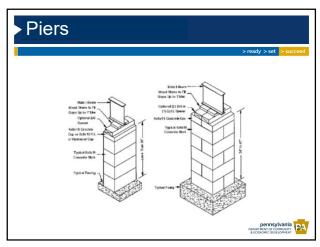


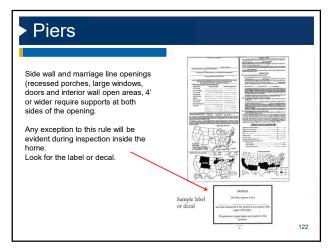






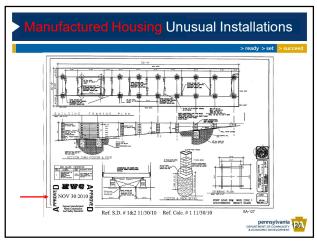
Considerations for Pier Foundation Noil Bearing Capacity Load per pier Footing size & spacing Pier capacity Pier construction Single − double Cap blocks Shims Perimeter and marriage line piers Openings 4' wide or wider (unless noted adjacent to data plate). Pennsylvania pennsylvania













Basement or Crawl Space

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- Is the home compatible with a perimeter foundation? Perimeter vs. Standard Frame
- Foundation construction consistent with IRC Chapter 4
- Structural connection needed between floor of the home and sill plate.
- Manufacturer supplied details for anchoring and support of the home.
- Floor of the home (insulation, bottom board) to remain intact.



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IRC Chapter 4

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- R404.1.7 Backfill Placement
- Backfill shall not be placed against the wall until the wall has sufficient strength and has been anchored to the floor above or has been sufficiently braced to prevent damage by the backfill.





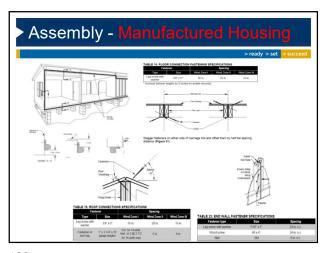
















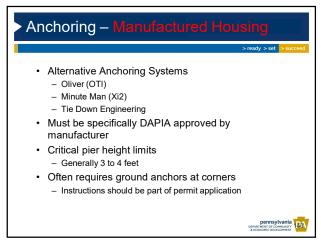
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Anchoring – Manufactured Housing

- Anchors should be maximum 12' apart.
- Within 2' of the ends of the home.
- Anchors must <u>not</u> be embedded into concrete footings.
- Protected from frost and above water table.
- Strap angle 20°-45°.
- Stabilizing plates required.
- Higher roof pitches require more anchors!
- Anchoring equipment = 3,150 lbs. x 1.5 = 4,725 lbs.







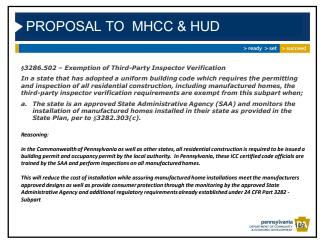








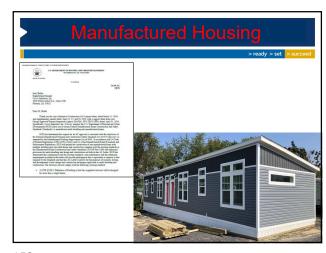
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(Street Address)	Chi. Zei	Short Address (Prone)	
	100 001	(Prone)	
1. Initial Inspection			
	Inspection Item	Inspector Verification Installer Certification	
	Site location with respect to home design and construction	oPass of all oNA oPass of all oNA	
	Consideration of site specific conditions 2N CPR 3395 Subpart C - Site preparation and practing for	oPass ofall oNA oPass ofall oNA	
	2N CPR 3255 Subpart C - Site prependion and grading for drainage	□ Pass □ Fall □ NA □ Pass □ Fall □ NA	
	2N CFR 1285 Subpart D - Foundation construction	□Pass □Fail □NA □Pass □Fail □NA	
	2N CFR 3255 Subpart E - Anchorage	□Pass □Fall □NA □Pass □Fall □NA	
	2N CFR 1295 Subpart F - Optional features (Skitting, etc.) 2N CFR 1295 Subpart G - Completion of ductwork, plumbins	oPass ofall oNA oPass ofall oNA	
	and fuel supply systems	Pass o Fall o NA o Pass o Fall o NA	
	24 CFR 3295 Subpart W - Completion of electrical systems.	p Pass p Fail p NA p Pass p Fail p N/A	
	24 CFR 3295 Subpart I - Exterior and interior close-up	□ Pass □ Fall □ NA □ Pass □ Fall □ NA	
	Completion of specialistic chedia and adjustments	○ Pass ○ Fall ○ NA ○ Pass ○ Fall ○ NA	
If the impedor discovering engage and instructions installation is corrected. Briefly describe the work sheetly; if recessiony. 3. Inspector Yerffication I have performed a visual production of the production of production of the production of the production of the production of production of productio	that have been certified by a professional engine that did not pass the Initial Impection. Upon wines the profession of the Initial Impection in accordance with 34 CPR § 3080.05 bits have been provided by the randeduction and the Impection of the Impection of Impectio	concept with the meanufacture is maintained in minimization restrictions or with an immiliation consist of the maintained and in maintained and immiliation and immigration after the maintained and immiliation and immiliation and immiliation and additional additionaly	
with an installation design instructions that have be- the DAPNA as providing a in part 30% of this chack	ance with 24 CFR §§ 2091.111 and 2298.411, th in and instructions that have been provided by the expensed and certified by a professional engine level of projection for residents of the home that a in. It is a prime to knowledy realer false statement.	at the manufactured storie identified above tost been installed in accordance or manufacture and approved by the DAPA or as installation design and qualified and provided and provided provided and provided and qualified and provided and provided provided and provided and qualified confidence in any matter within the justicidation of the british distance on one neckude a fine and improviment. See '50 U.S. Code Section 1001.	
Installer Signature		(Date)	
Distribution: Installer Purchaser		Form HUD - 209	

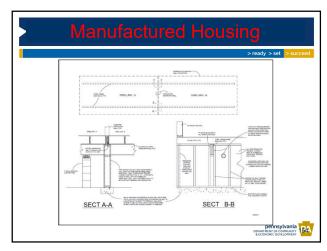




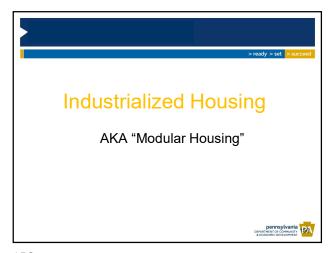














Uniform Construction Code

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UCC Regulations §403.25

<u>Industrialized Housing</u> – The UCC

applies to:

- Site preparation
- Foundation construction
- Utility connection
- Construction, alteration, repair after delivery
- Construction, alteration, repair or change of occupancy if resold or relocated pennsylvar

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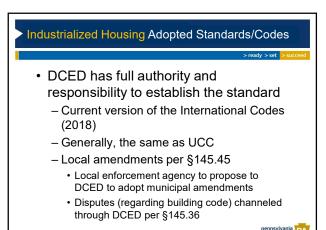
Uniform Construction Code

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For example, regarding <u>Industrialized Housing</u> the UCC applies to:

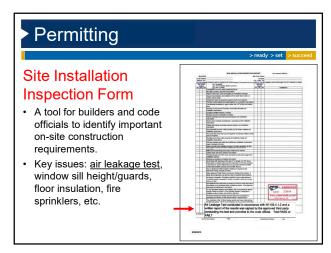
- Soil issues
 - Frost heave protection, bearing capacity, site grading...
- Basement/Masonry crawl space design/construction
- · Connection to utilities
- · After market alterations

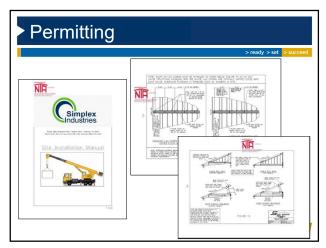














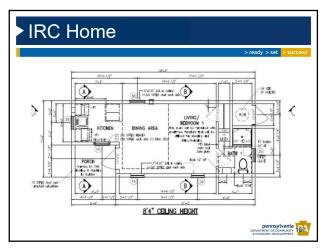
Plan Review

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- Evaluation Agency stamp is evidence of plan review for compliance with applicable standard in effect at date of manufacturer.
 - See data plate
- Local Plan review for:
 - Plot plan
 - Details for decks, garages, porches, etc.
 - Any work beyond the Industrialized Home and installation



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Industrialized Housing on Display at Sales Center

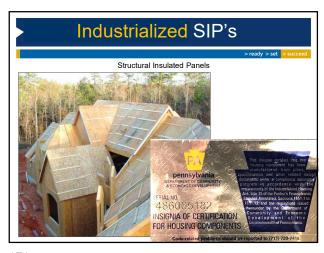
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- Consider NEW (even after August 15, 2022) until sold to the first purchaser
 - Exemption from UCC intact
- No person may sell or offer for sale Industrialized Housing with a known defect
- If damage or a defect is suspected, the validity of the <u>certification can be reaffirmed</u>
 - Manufacturer & the appropriate program inspection agency



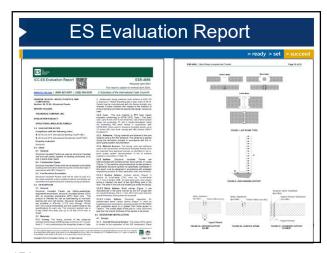
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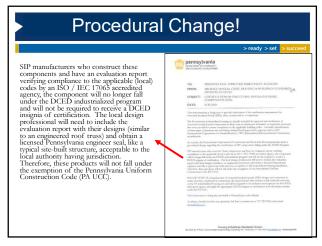


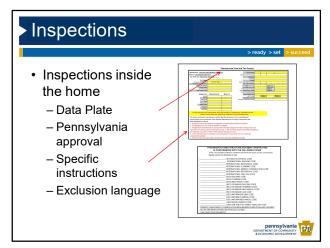


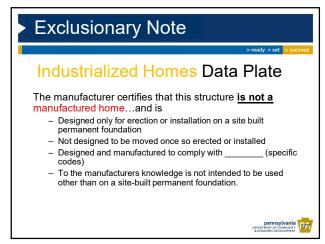


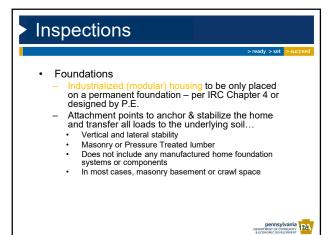












Inspections Inspections to the designs provided for permit application Completed "Site Installation Inspection Form" In the event that a manufacturing defect is observed, inform DCED Possible other homes are affected May indicate breakdown in QA or inspection process Only the manufacturer can authorize the repair Unauthorized repairs can void homeowner's warranty/protections

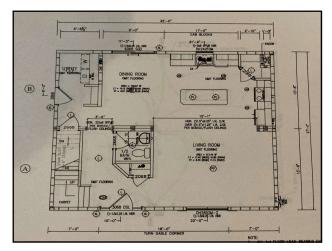
179

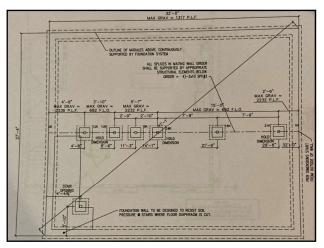
Until "Certificate of Occupancy" is issued by AHJ, industrialized (modular) housing may NOT be modified unless the modification is approved in advance by manufacturer. After the AHJ issues a "Certificate of Occupancy" the industrialized home may be modified subject to local enforcement of the UCC. Industrialized housing designed and constructed to model building codes Department of the UCC.





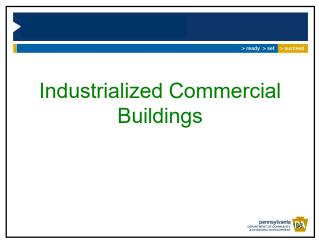






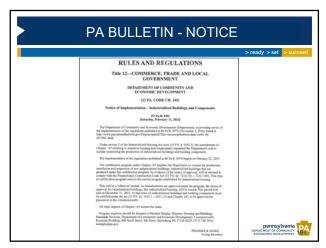


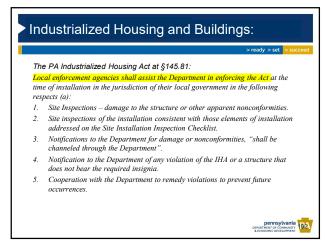


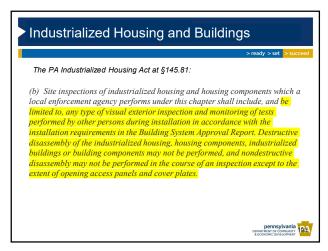


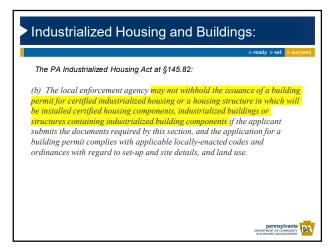


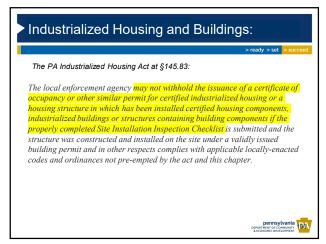








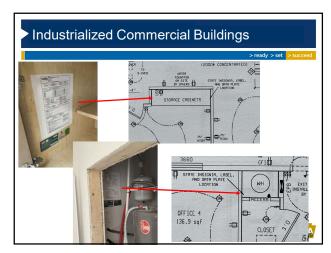










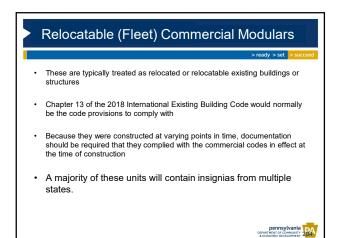


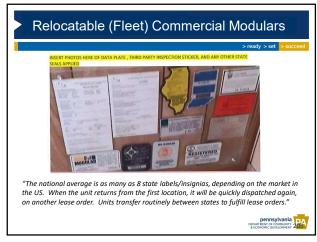












Relocatable (Fleet) Commercial Modulars

- DCED Regulations: "Intended for sale, lease or installed in Pennsylvania"
- Presently DCED will not issue approval for fleet units when shipped to other states.
 - If initially shipped and sited in PA will be approved.
- These units have the possibility to be used in the state where shipped and after being used be brought into PA for use.
 - Manufacturer loses control of these units.
 - Possible alterations.



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How to Handle Relocatable (Fleet) Mod's

- The unit (s) should be inspected and verified for habitability
- Connections to foundation systems must comply with the IBC and more specifically, the manufacturer's installation instructions
- Any site-built features or accessories such as stairs and ramps must be code compliant
- . The unit (s) and the site must comply with PA Accessibility provisions
- Any alterations or repairs must comply to 2018 code requirements
- Certificates of occupancy would be based on the code under which the unit was originally designed and constructed









