

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: Community Affairs Committee

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BILL: CS/SB 128

INTRODUCER: Community Affairs Committee and Senator Bennett

SUBJECT: Manufactured Buildings

DATE: April 18, 2006

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vickers	Yeatman	CA	Fav/CS
2.			GO	
3.			TA	
4.			WM	
5.			RC	
6.				

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## I. Summary:

This committee substitute (CS) provides that certain foundation systems currently authorized for use in connection with mobile/manufactured homes may be utilized for all types of manufactured buildings.

In addition, the CS provides that manufactured buildings that are intended to be used for 2 years or less must be permitted to use a foundation system designed and installed in accordance with s. 320.8325(1), F.S. (uniform standards for the installation of mobile homes, manufactured homes, and park trailers). Use of the building may be extended for an additional two years upon application and inspection of the foundation. The CS stipulates that this provision does not apply to a residential manufactured building or factory built school.

This CS substantially amends sections 553.36 and 553.37 of the Florida Statutes.

## II. Present Situation:

Section 320.8325(1), F.S., directs the Department of Highway Safety and Motor Vehicles to adopt rules establishing uniform standards for the installation of mobile homes, manufactured homes, and park trailers and for the manufacture of components, products, or systems used in the installation of mobile homes, manufactured homes, and park trailers. This section specifies that the department's rules must ensure that the home or park trailer is installed on a permanent foundation that resists wind, flood, flotation, overturning, sliding, and lateral movement of the home or park trailer. Chapters 15C-1 and 15C-2, Florida Administrative Code, implement the provisions of this section.

Chapter 553, F.S., authorizes the Florida Building Commission (Commission) to establish minimum standards for permitting, plan review and issuance of mandatory certificates of occupancy (administrative provisions), as well as technical standards for construction.<sup>1</sup> The Commission has adopted the Florida Building Code (Code), which generally applies to modular buildings and site built construction. The Code provides that buildings anticipated to be used for less than six months are entitled to different review and technical standards than permanent buildings (local building officials are authorized to extend that six month period). A different administrative standard applies to modular school buildings, which are statutorily authorized to be used for up to four years and still maintain their temporary status.<sup>2</sup> The National Flood Insurance Program provides some allowance for temporary buildings, which it defines using a 180-day time period, within flood-prone areas. Buildings in flood prone areas for longer periods of time require foundations sufficient to withstand pressure from flood-waters.

Technically, the Code provides that "[t]emporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare."<sup>3</sup>

The following "temporary" buildings are exempt from application of the Code:

- Temporary buildings or sheds used exclusively for construction purposes.
- Mobile or modular structures used as temporary offices, except that the provisions of part II of ch. 553, F.S., relating to accessibility by persons with disabilities shall apply to such mobile or modular structures.
- Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.<sup>4</sup>

Section 553.36, F.S., defines "manufactured building" to mean a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with this section. Mobile homes are specifically exempted from this definition.

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<sup>1</sup> Section 553.73(4)(a), F.S.

<sup>2</sup> Section 553.415, F.S.

<sup>3</sup> Section 107.2, Florida Building Code, Building Volume (2004). [This section was adopted verbatim by the Commission from the International Building Code.]

<sup>4</sup> Section 553.73(8), F.S.

**III. Effect of Proposed Changes:**

The CS amends s. 553.36, F.S., to revise the definition of “manufactured building” to provide that such buildings may utilize foundation systems authorized in 15C-1 and 15C-2, Florida Administrative Code. These administrative rules, adopted by the Department of Highway Safety and Motor Vehicles, establish requirements relating to installation standards for mobile/manufactured homes and park trailers.

The CS also amends s. 553.37, F.S., to provide that manufactured buildings that otherwise meet the requirements of ch. 553, F.S., and that are intended to be used for 2 years or less must be permitted to use a foundation system designed and installed in accordance with s. 320.8325(1), F.S. (uniform standards for the installation of mobile homes, manufactured homes, and park trailers). Use of the building may be extended for an additional two years upon application and inspection of the foundation. The CS stipulates that an application for extension may not be denied without a complete inspection and findings of fault with the foundation system. Finally, the CS provides that this provision does not apply to a residential manufactured building or factory built school.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The CS may provide indeterminate savings to the private sector through decreased costs associated with the installation of certain manufactured buildings.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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## **VIII. Summary of Amendments:**

None.

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