

R392. Health and Human Services, Population Health, Environmental Health.

R392-402. Manufactured Home Community Sanitation.

R392-402-1. Authority and Purpose.

(1) This rule is authorized under Sections 26B-7-402; and Subsections 26B-1-202.

(2) This rule establishes minimum standards for the sanitation, operation, and maintenance of a manufactured home community, as defined by this rule, and provides for the prevention and control of health hazards associated with a manufactured home community that are likely to affect individuals dwelling therein including risk factors contributing to injury, sickness, death, and disability.

R392-402-2. Applicability.

This rule applies to any person who owns or operates a manufactured home community, unless specifically exempted by this rule. This rule applies to the repair, maintenance, use, operation, and occupancy of manufactured home communities designed, intended for use, or otherwise used for human habitation.

R392-402-3. Definitions.

For the purposes of this rule:

(1) "Building code" means International Building Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

(2) "Clean" means the condition of being visibly free from dirt, soil, stain, leftover food particles, or other materials or substances not intended to be a part of the object in question.

(3) "Local health department" has the same meaning as provided in Subsection 26A-1-102(5).

(4) "Local health officer" means the health officer of the local health department having jurisdiction or their designated representative.

(5) "Manufactured home" means a factory assembled structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its own running gear and designed to be used as a dwelling unit without a permanent foundation. A modular home transported on wheels to its foundation is not a manufactured home.

(6) "Manufactured home community" or "Community" means a parcel or contiguous parcels of land that has been so designed and improved that it contains three or more manufactured home lots available to the general public for the placement thereon of manufactured homes for occupancy.

(7) "Nuisance" means a condition or hazard, or the source thereof, which may be deleterious or detrimental to the health, safety, or welfare of the public.

(8) "Occupant" means any person living, sleeping, cooking, or eating in a manufactured home or having actual possession thereof whether as a tenant or owner-occupant.

(9) "Operator" means any person who owns, leases, manages or controls, or who has the duty to manage or control a manufactured home community.

(10) "Pest" means a noxious, destructive, or troublesome organism whether plant or animal, when found in and around places of human occupancy, habitation, or use which threatens the health or well-being of the public.

(11) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

(12) "Plumbing fixture" means a receptacle or device that is connected to the water supply system of the premises and demands a supply of water therefrom; discharges wastewater, liquid-borne waste materials, or sewage to the drainage system of the premises; or requires both a water supply connection and a discharge to the drainage system of the premises.

(13) "Premises" means any lot, parcel, or plot of land, including any buildings or structure.

(14) "Sanitary" means the condition of being free from infective, physically hurtful, diseased, poisonous, unwholesome, or otherwise unhealthful substances and being completely free from vermin, vectors, and pests and from the traces of either, and free of harborage for vermin, vectors, or pests.

(15) "Service building" means a building, buildings or room housing toilet, lavatory, bathing, laundry and other facilities, including service sinks, as may be required for the use of manufactured home community occupants.

(16) "Vector" means any organism, such as insects or rodents, that transmits a pathogen that can adversely affect public health.

(17) "Vermin" means rats, mice, cockroaches, bedbugs, flies, or any other pest or vector as determined by the local health officer to be harmful to the life, health, or welfare of the public.

(18) "Wastewater" means discharges from plumbing facilities including rest rooms, kitchen, and laundry fixtures either separately or in combination.

R392-402-4. General.

(1) This rule does not require a construction change in any portion of a community if the community was in compliance with the law in effect at the time the community was constructed, except the local health officer may require construction changes if it is determined the community or portion thereof is dangerous, unsafe, unsanitary, a nuisance or menace to life, health, or property.

(2) The operator shall comply with this rule.

(3) The operator shall comply with applicable building, zoning, electrical, health, fire codes and local ordinances.

(4) A manufactured home community operator or agent shall select or construct a location for the facility that will provide adequate surface drainage. The operator shall make a reasonable effort to locate the facility away from any existing public health hazard or nuisance.

(5) When an operator allows community occupants to dwell in vehicles or manufactured homes, or temporary dwellings not provided with toilet, sink and bathing plumbing fixtures, the operator shall construct and maintain a service building for occupant use according to the requirements of Section R392-402-7.

(6) Whenever provisions are made for the accommodation of any recreational vehicles, such as travel trailers, camp trailers, truck campers or motor homes, in a manufactured home community, such accommodations must conform to the requirements of Rule R392-301, Recreational Vehicle Park Sanitation.

R392-402-5. Water Supply.

(1) Potable water supply systems for use by manufactured home community occupants shall be designed, installed, and operated according to the requirements set forth by:

(a) Plumbing Code;

(b) the Utah Department of Environmental Quality, Division of Drinking Water under Title R309, Drinking Water; and

(c) local health department regulations.

(2)(a) The operator shall provide a potable water connection to each manufactured home space.

(b) Shut-off valves on water connections for individual manufactured homes shall be of the inverted key pattern stop-and-waste type or an approved anti-siphon yard hydrant.

(3) Plumbing fixtures that normally require water for their operation shall be supplied with adequate potable water supply under pressure.

(4) The operator shall provide hot and cold running water under pressure at each service building for showers or bath fixtures, hand sinks, and laundry facilities when provided.

(5) A manufactured home community in which spaces are set aside for vehicles, manufactured homes, or other temporary dwellings not provided with toilet, sink, and bathing plumbing fixtures, as in Subsection R392-402-4(6), shall be provided with a common-use, non-threaded water faucet or spigot that shall be accessible to community occupants.

R392-402-6. Wastewater.

(1) Wastewater shall be discharged to a public sanitary sewer system whenever practicable.

(a) Sewer systems for use by manufactured home community occupants shall be designed, installed, and operated according to the requirements set forth by:

(i) Plumbing Code;

(ii) the Utah Department of Environmental Quality, Division of Water Quality under Title R317, Water Quality;

(iii) local health department regulations; and

(iv) the local sewer district having jurisdiction.

(b) Where connection to a public sewer is not available, wastewater shall be discharged into an approved wastewater disposal system meeting the requirements of:

(i) Title R317, Water Quality; and

(ii) local health department regulations.

(c) Prior to commencing construction or alteration, the operator shall submit plans to the local health department for the construction or alteration of a wastewater disposal system in accordance with Title R317, Water Quality.

(2) Sewer service shall be made available to each designated manufactured home space and the operator shall design, install, operate, and maintain individual connections to the sewer system according to the requirements set by:

(a) Plumbing Code;

(b) the Utah Department of Environmental Quality, Division of Water Quality;

(c) local health department regulations; and

(d) the local sewer district having jurisdiction.

(3) The operator shall provide a tight-fitting cover for any sewer riser that is not in use.

R392-402-7. Service Building Requirements.

(1) A manufactured home community in which spaces are set aside for vehicles, manufactured homes, or other temporary dwellings not provided with toilet, sink, and bathing plumbing fixtures, as in Subsection R392-402-4(6), shall be provided with a service building or buildings for the exclusive use of the occupants and employees of the manufactured home community.

(2) Except as provided in Subsection R392-402-7(2)(a)(i), separate toilet rooms within the service building shall be provided for each sex. These rooms shall be distinctly marked "for men" and "for women" by signs printed in English, or marked with easily understood pictures or symbols.

(a) Each service building shall have one toilet, one hand sink, and one bath fixture for each sex for each 15 sites set aside in Subsection R392-402-4(6), or fraction thereof.

(i) Where a toilet room will be occupied by no more than one person at a time, can be locked from the inside, and contains at least one toilet, separate toilet rooms for each sex need not be provided.

(ii) Urinals may be substituted for up to half of the required number of toilets for males, provided the urinal is installed in addition to a toilet at the same location.

(b) A service building shall be located not less than 15 feet and not more than 500 feet from any site set aside for vehicles, manufactured homes, or other temporary dwellings not provided with toilet, sink, and bathing plumbing fixtures, as in Subsection R392-402-4(6).

(3) Each service building shall be:

(a) of permanent construction, meeting the requirements of Building Code;

(b) provided with adequate light and ventilation;

(c) constructed of smooth, moisture resistant finish materials to withstand frequent washing and cleaning; and

(d) maintained in a clean and sanitary condition.

(4) The operator shall provide clean individual disposable towels near handwashing sinks. Alternate hand drying methods approved by the local health officer may be substituted for individual disposable towels.

(5) The operator shall provide soap and waste receptacles with lids in each service building.

(6) For each toilet room within a service building, the operator shall provide:

(a) toilet tissue in a suitable dispenser; and

(b) at least one solid, easily cleanable, covered waste receptacle for the collection of solid waste; or

(c) at least one solid, easily cleanable, uncovered waste receptacle and a sanitary napkin receptacle.

(7) The operator shall provide water heating equipment capable of heating water to a minimum temperature of 110 F, and shall maintain such in proper operating condition.

(8) Each service building shall be provided with at least one service sink or utility sink.

(9) Approaches to any service building shall be free from obstruction.

(10) Sinks shall be located either in the same room as toilet fixtures or immediately adjacent to the toilet room or service building.

(11) Interior spaces intended for human occupancy shall be provided with active or passive space heating systems capable of maintaining an indoor temperature of not less than 68 degrees F at a point three feet above the floor.

R392-402-8. Operation and Maintenance.

(1) The operator shall maintain the following in a clean and operable condition, and free of litter and debris:

(a) common-use buildings, rooms, and equipment, including provided furnishings and equipment in manufactured home community areas; and

(b) the grounds surrounding them.

(2) Where necessary, the operator shall employ all reasonable means to eliminate or control infestations of vermin within each part of a manufactured home community. This shall include approved screening or other approved control of outside openings in common-use buildings.

(3) The operator shall maintain interior roads and parking areas in a manner that prevents harborage for vermin or fugitive dust.

R392-402-9. Food Service.

When the operator provides food service for manufactured home community occupants, food service, storage, and preparation shall comply with Rule R392-100, Food Service Sanitation, and local health department regulations.

R392-402-10. Solid Wastes.

(1) The operator shall provide adequate containers to prevent the accumulation of solid waste in the manufactured home community.

(2) Solid waste generated at a manufactured home community or picnic area shall be stored in a leak-proof, non-absorbent container, which shall be kept covered with a tight-fitting lid.

(3) Solid wastes shall be disposed with sufficient frequency and in such a manner as to prevent insect breeding, rodent harborage, or a public health nuisance.

R392-402-11. Swimming Pools.

The operator shall comply with Rule R392-302, Design, Construction, and Operation of Public Pools as well as other local health department regulations for each pool or spa made available to manufactured home community occupants or staff.

R392-402-12. Inspections and Investigations.

(1)(a) Upon presenting proper identification, the operator shall permit the local health officer to enter upon the premises of a manufactured home community to perform inspections, investigations, reviews, and other actions as necessary to ensure compliance with this rule.

(b) The local health officer may not enter an occupied manufactured home without the express permission of the occupant except when a warrant is issued to a duly authorized public safety officer that authorizes the local health officer to enter, or when the operator and the local health officer determine that there exists an imminent risk to the life, health, or safety of the occupant.

R392-402-13. Closing of a Manufactured Home Community or Site.

(1) If a local health officer deems a manufactured home community, housing site, space, or portion thereof to be an imminent risk to the life, health, or safety of the public, the community, housing site, or space may be closed or its use may be restricted, as determined by the local health officer.

(2) The operator shall restrict public access to the impacted area of any manufactured home community, housing site, or space closed or restricted to use by a local health officer within a reasonable time as ordered by the local health officer.

(3) It shall be unlawful for an operator to allow the public to utilize any manufactured home community, housing unit, space, or portion thereof that has been deemed unfit for use until written approval of the local health officer is given.

R392-502-18. Severability.

If any provision of this rule, or its application to any person or circumstance is declared invalid, the application of such provisions to other persons or circumstances, and the remainder of this rule shall be given effect without the invalidated provision or application.

KEY: public health, manufactured home community, manufactured homes, mobile homes

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