

SENATE BILL NO. 177—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF MANUFACTURED HOUSING DIVISION)

FEBRUARY 12, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes concerning manufactured buildings. (BDR 40-625)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to manufactured buildings; revising the provisions concerning the codes, standards and regulations adopted by the manufactured housing division of the department of business and industry; increasing the penalty for a violation of the provisions governing manufactured buildings; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 461.170 is hereby amended to read as follows:
2 461.170 1. Unless the division has adopted a more recent edition
3 pursuant to paragraph (b) of subsection 2, the following codes ~~and~~ ***and***
4 ***standards***, in the form most recently published before January 1, ~~1993,~~
5 ***1999***, are hereby adopted for the purposes of this chapter:
6 (a) The Uniform Housing Code;
7 (b) The Uniform Building Code, as adopted by the International
8 Conference of Building Officials;
9 (c) The Uniform Plumbing Code, as adopted by the International
10 Association of Plumbing and Mechanical Officials;
11 (d) The Uniform Mechanical Code, as adopted by the International
12 Conference of Building Officials and the International Association of
13 Plumbing and Mechanical Officials;
14 (e) The National Electrical Code, as adopted by the National Fire
15 Protection Association;

(f) The Uniform Building Code, Dangerous Building, as adopted by the International Conference of Building Officials; ~~and~~

(g) The Uniform Building Code Standards, as adopted by the International Conference of Building Officials ~~and~~ ; and

(h) The American National Standards Institute Standard No. A117.1.

2. The division may:

(a) Adopt regulations necessary to carry out the provisions of this chapter and the ~~uniform~~ codes *and standards* adopted by this section.

(b) Adopt, by regulation, the most recent edition of the codes *and standards* specified in subsection 1.

(c) Revise the regulations ~~when necessary~~ to conform substantially to any amendments to the ~~uniform codes.~~

~~3. The~~ codes *and standards*.

3. If approved in writing by the division, a local enforcement agency may impose requirements that are more stringent than the codes, standards and regulations adopted under this section . ~~do not prevent a local enforcement agency from imposing more stringent standards.~~

Sec. 2. NRS 461.190 is hereby amended to read as follows:

461.190 1. Factory-built housing manufactured after the effective date of the regulations for that housing adopted pursuant to this chapter which is sold or offered for sale to a first ~~users~~ *user* within this state must bear ~~insignia~~ *an insigne* of approval issued by the division.

2. A manufactured building, fabricated after the effective date of the regulations for ~~those buildings~~ *that building* adopted pursuant to this chapter, which is sold or offered for sale to a first user within this state must bear an insigne of approval issued by the division.

3. The division may issue insignia, medallions, symbols or tags issued by the appropriate certifying authority designated by the uniform codes *and standards* adopted pursuant to NRS 461.170 ~~signifying~~ *to signify* compliance with all ~~of~~ the provisions of NRS 461.170.

4. The division may provide by regulation for the approval of any factory-built housing or manufactured building which has been inspected and approved by the appropriate certifying authorities of another jurisdiction which has adopted all ~~of~~ the codes *and standards* specified in NRS 461.170 without additional inspection or issuance of additional insignia, medallions, symbols or tags by the division.

Sec. 3. NRS 461.240 is hereby amended to read as follows:

461.240 1. ~~The~~ *Except as otherwise provided in subsection 2 and NRS 461.260, the* division shall enforce every provision of this chapter and the regulations adopted pursuant ~~thereto, except as provided in NRS 461.260.~~

~~2. Nothing in this chapter prevents the division from delegating by written contract~~ *to the provisions of this chapter.*

1 **2. The division may delegate** its enforcement authority to local
2 government agencies ~~{ }~~ **by written contract.**

3 **Sec. 4.** NRS 461.260 is hereby amended to read as follows:

4 461.260 1. Local enforcement agencies shall enforce and inspect the
5 installation of factory-built housing and manufactured buildings.

6 2. Local use zone requirements, local fire zones, building setback, side
7 and rear yard requirements, site development and property line
8 requirements, ~~{as well as the review and regulation of architectural}~~ and
9 aesthetic requirements are hereby specifically and entirely reserved to local
10 jurisdictions notwithstanding any other requirement of this chapter.

11 **3.** ~~{Nothing in this chapter prohibits any appropriate local government~~
12 ~~authority from examining and approving all plans, applications or building~~
13 ~~sites.~~

14 ~~—4.~~ A local government authority may inspect Nevada manufacturers of
15 factory-built housing or manufactured buildings to ~~{insure}~~ **ensure**
16 compliance with all **the** provisions of NRS 461.170. Before conducting an
17 initial inspection of any such manufacturer, a local government authority
18 ~~{shall}~~ **must** give 10 days' written notice to the administrator of the
19 division. The local government authority ~~{need}~~ **is** not **required to** give
20 notice to the administrator before conducting subsequent inspections of the
21 manufacturer.

22 **Sec. 5.** NRS 461.270 is hereby amended to read as follows:

23 461.270 Any person who violates any of the provisions of this chapter
24 or any regulations adopted pursuant to this chapter shall be punished by a
25 fine not exceeding ~~{ \$500 }~~ **\$2,500**, or by imprisonment not exceeding 30
26 days, or by both fine and imprisonment.

27 **Sec. 6.** NRS 461.200 is hereby repealed.

28 **Sec. 7.** This act becomes effective on July 1, 1999.

TEXT OF REPEALED SECTION

461.200 Buildings with insignia of approval deemed in compliance with local ordinances and regulations. All factory-built housing and manufactured buildings bearing insignia of approval pursuant to NRS 461.190 shall be deemed to comply with the requirements of all ordinances or regulations enacted by any city or county which may be applicable to the manufacture of such buildings.