

3063.

Maiorana, Lisa

From: Conte, Mark
Sent: Monday, August 25, 2014 2:02 PM
To: Maiorana, Lisa
Subject: FW: 2014 PA IH program
Attachments: 3063PRO Edit.pdf

2014 AUG 28 AM 10:03

RECEIVED
IRRC

Mark Conte
PA Department of Community & Economic Development
Factory Housing & Building Standards
Commonwealth Keystone Building
400 North Street, 4th Floor | Harrisburg, PA 17120-0225
Phone: 717.720.7416
www.newPa.com/mh

Confidentiality Notice: This electronic communication is privileged and confidential and is intended only for the party to whom it is addressed. If received in error, please return to sender.

From: Bowser, Kevin [<mailto:KBowser@pahouse.net>]
Sent: Friday, August 22, 2014 9:33 AM
To: Conte, Mark
Subject: FW: 2014 PA IH program

Mark,

Our office was contacted by Dear John in Ellwood City. They rent/sale portable office trailers, storage containers and work site changing/restrooms.

He was very concerned that the Industrialized Housing Act regulation will cause him to close his business. His two points of worry are:

Definitions – permanent foundation (page 21 of the attached document). This use of only mortared piers and no tie downs goes against standard installation practices.
Subsection 145.31 which states that unlabeled buildings (the existing ones) will not be able to be sold, leased or moved after the rules become law.

I have looked this over and cannot determine if he should be concerned about these regulations negatively impacting him. Could you or a staffer please enlighten me. Thank you.

Best Regards,

Kevin Bowser
Chief of Staff
Office of Jaret Gibbons

From: Adam Myers [<mailto:adammyers1@yahoo.com>]
Sent: Thursday, August 21, 2014 3:19 PM
To: Bowser, Kevin
Subject: Fw: 2014 PA IH program

Thank you,

Adam Myers

Dear John Inc.

Office Trailers & Modular Office Buildings

Sales and Rental

Web Site: www.dearjohnrental.com

Email: adammyers1@yahoo.com

Toll Free 1-888-581-4800

Fax 724-758-5707

On Thursday, August 21, 2014 2:46 PM, Barbara Bieganski <BBieganski@vanguardmodular.com> wrote:

The attached file is from the IRRC website with my own highlighting as I was reviewing it for concerns.

Two hot points are:

Definitions – permanent foundation (page 21 of the attached document). This use of only mortared piers and no tie downs goes against standard installation practices.

Subsection 145.31 which states that unlabeled buildings (the existing ones) will not be able to be sold, leased or moved after the rules become law.

I encourage you to submit comments to:

Mark Conte, Chief Housing Standards Division
Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225
mconte@state.pa.us

and copy irrc@irrc.state.pa.us in the same email.

The website <http://www.irrc.state.pa.us/regulations/RegSrchRslts.cfm?ID=3073> for comments is.

Barb

Barbara Bieganski
Director Modular Engineering
bbieganski@vanguardmodular.com
717-471-3164

* * * *

Installation—The assembly of industrialized housing or buildings onsite and the process of affixing industrialized housing, ~~or housing components~~, industrialized buildings or components to land, a foundation, footings, utilities or an existing building, and may include the process of affixing housing or building components to or within the housing structure for which they are designed.

* * * *

Manufacturing facility—A place, other than the building site, at which machinery, equipment and other capital goods are assembled and operated for the purpose of making, fabricating, constructing, forming or assembling industrialized housing or housing components, industrialized buildings or building components.

* * * *

~~*Module*—Each section of an industrialized housing structure which is fabricated in the manufacturing facility to be separately transported to the building site.~~

* * * *

Notice of Approval—A notice issued by the Department to each manufacturer of industrialized housing, ~~or housing components~~, industrialized buildings or building components that indicates the approval of the manufacturer's building systems documentation, compliance assurance program, and the authority to receive and attach insignias of certification to industrialized housing, ~~or housing components~~, industrialized building or building components as applicable.

Permanent foundation—A permanent foundation must be constructed in accordance with the prescriptive provisions of the adopted building code or, when required, designed by a licensed professional engineer. A permanent foundation shall have attachment points to anchor and stabilize the home to transfer all code required loads to the underlying soil or rock. In either case, a permanent foundation shall be designed for the following:

(1) Vertical Stability:

- (i) Footings properly sized to prevent overloading of the soil.
- (ii) Minimum depth of footings below undisturbed ground surface shall be 12 inches or as required by the local code, whichever is greater.
- (iii) Shallow foundation footings shall be constructed of cast-in-place concrete.
- (iv) Masonry walls and piers shall be mortared.

(2) Lateral stability:

(i) Anchorage capacity to prevent uplift, sliding, and overturning or other movement of the structure.

(ii) Shall not utilize tension-only steel straps.

(iii) Shall not utilize screw-in soil anchors.

(3) Be constructed of durable materials i.e. concrete, mortared masonry, or treated wood (this includes precast foundation systems).

(4) A permanent foundation does not include any alternative systems or components labeled only for use under one or more of the following standards:

(i) 24 CFR 3280, Manufactured Home and Safety Standards (MHCSS)

(ii) 24 CFR 3286, Manufactured Home Installation Program (MIS)

(ii) NFPA 225 Model Manufactured Home Installation Standard

(iv) ANSI A225.1 NFPA 501A Manufactured Home Installations

(v) International Residential Code, Appendix E

* * * *

Site Installation Inspection Checklist—Report Form—The element A part of the manufacturers building system documentation or design package compliance control program that will identify the various aspects of construction that must be completed on site, for inspection by the local code official by the builder or contractor, that when properly completed will result in a conforming home or building.

Site or building site—The entire tract, subdivision or parcel of land on which industrialized housing, or housing components, industrialized building or industrialized building components are installed.

* * * *

§ 145.2. Purpose.

This chapter interprets and makes specific the provisions of the Industrialized Housing 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 the 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.

(2) Establish uniform procedures to assure that industrialized housing, buildings and housing or building components intended for sale, lease or installation for use in this Commonwealth will be manufactured, transported and installed in compliance with the uniform standards adopted by this chapter. In particular, this chapter establishes procedures under which the essential structural, electrical, mechanical and plumbing elements of industrialized housing, buildings and housing or building components are subjected to compliance assurance procedures, including inspections, in the manufacturing facilities during the manufacturing process, thereby eliminating the need for subsequent inspections at the building site of those elements which are enclosed within the walls which might otherwise be subjected to disassembly, damage or destruction in the course of onsite inspections.

(3) Establish procedures which will facilitate the movement of industrialized housing, buildings and housing or building components between the Commonwealth and the other States for the mutual benefit of the manufacturers and citizens of this Commonwealth.

* * * *

§ 145.3. Scope.

Except to the extent otherwise stated in the act and the provisions of this chapter and in other applicable laws of the 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 housing, buildings and housing or building components which are sold, leased or installed, or are intended for sale, lease or installation, for use on a site in this Commonwealth. This chapter applies to industrialized housing, buildings and housing or building components manufactured in manufacturing facilities located within or outside this Commonwealth.

§ 145.31. Requirement of certification.

(a) ~~Except as otherwise provided in § 145.121(b) (Reserved), after January 1, 1975, n~~
No person may sell, lease or install for use on a site in this Commonwealth ~~an~~
industrialized housing, buildings or housing or building components unless the
industrialized housing, building or housing or building component is certified and bears
insignia of certification issued by the Department. The insignia of certification issued by
the Department shall be attached to the industrialized housing, building or housing or
building component under this chapter, and they shall be subject to subsequent removal
~~from the industrialized housing and housing component in accordance with this chapter.~~

(b) Industrialized housing, buildings and housing or building components of the manufacturer which have never been occupied and which serve for model or

demonstration purposes for the manufacturer do not have to bear insignia of certification under this chapter, until the time that the industrialized housing, building or housing or building components are first offered for sale or lease.

~~(c) The sale or lease of an industrialized housing or housing structure in which housing components have been installed, which sale or lease occurs after the completion of installation may not be subject to this chapter, unless the person offering the industrialized housing or housing structure for sale or lease made an offer to a person prior to the completion of installation or unless the sale or lease was by or on behalf of or for the benefit of the manufacturer of the industrialized housing or housing components for the purpose of avoiding the certification requirements of this chapter. Nothing in this section shall be construed to prevent the application of this chapter to the installation of an industrialized housing or housing components.~~

§ 145.36. Applicability of locally-enacted codes and ordinances.

(a) Industrialized housing, and housing components, industrialized buildings or building components bearing insignias of certification issued under this chapter shall be deemed to comply with the requirements of building and related codes and ordinances enacted by local governments of the Commonwealth which codes and ordinances conform with the following:

(1) Are applicable to ~~housing or home building in residential or commercial~~ construction, plumbing, heating, electrical and other related codes pertaining to the construction and equipment contained within.

(2) Would otherwise be applicable to the industrialized housing, and housing components, industrialized buildings or building components certified under this chapter as described in their building system documentation.

* * * *

(c) If the building site is within a fire district designated by an ordinance of the local government, the requirements of the codes and standards adopted under § § 145.41, 145.42 and 145.44 (relating to adoption of standards; alternate standards; and procedure for adoption of amendments) for the fire district is applicable to the industrialized housing, or housing components, industrialized buildings or building components. If the fire district designated by the ordinance of the local government is different from a fire district described in the applicable codes and standards adopted under § § 145.41, 145.42 and 145.44 the requirements for that fire district described in the applicable codes and standards which in the judgment of the evaluation agency bears the closest similarity to the description of the applicable fire district under the locally enacted ordinance is applicable.