

Rule 6. Mobile Home Community Sanitation and Safety

410 IAC 6-6-1 Definitions

Sec. 1. (a) As used in this rule, "department" means the Indiana state department of health.

(b) As used in this rule, "interference with state department of health agent" means, but is not limited to, physical obstruction, attack, or threatened attack on a representative of the department while that representative is conducting inspection, licensing, or enforcement activities under IC 16-41-27 or this rule.

(c) As used in this rule, "manufactured home" has the meaning set forth in IC 16-41-27-3.5.

(d) As used in this rule, "mobile home" has the meaning set forth in IC 16-41-27-4.

(e) As used in this rule, "mobile home community" has the meaning set forth in IC 16-41-27-5.

(f) As used in this rule, "violation" means the failure of a mobile home community owner, operator, adult attendant, caretaker, or other person who has a substantial and direct proprietary interest in the community to abide by a provision of IC 16-41-27 or this rule.

410 IAC 6-6-2 Mobile home community sites; zoning; water and sewer service

Sec. 2. (a) Mobile home communities shall be located:

(1) on well-drained sites; and

(2) in areas free from flooding or other conditions that will cause or contribute to a health hazard.

(b) Mobile home community sites shall:

(1) meet all requirements of the local zoning commission; and

(2) be approved by the commission; before construction begins.

(c) Every shelter occupied as a residence in a mobile home community, whether mobile or permanent, shall be:

(1) equipped with toilet, sink, and bath or shower facilities; and

(2) connected to the water supply and sewer service; before occupancy.

410 IAC 6-6-3 Mobile home community lots; construction requirements

Sec. 3. (a) The owner or operator of the mobile home community shall maintain an accurate plat indicating the size and location of each lot. The plat shall be available at the mobile home community office.

(b) The certifying design professional must inspect and certify:

(1) construction of new manufactured home communities; or

(2) any changes to a manufactured home community; that necessitate submission of plans or specifications in conformance with IC 16-41-27-22, excepting modifications or expansions addressed by IC 25-23.7-8.

(c) An occupied mobile home shall not be allowed to remain in a mobile home community unless parked on a lot having:

(1) water supply;

(2) sewage collection; and

(3) electrical; services in conformance with this rule.

(d) The following provisions shall apply to all mobile home communities constructed after June 14, 1974, as well as to all additions to communities constructed after that date:

(1) Each mobile home community lot shall:

(A) contain at least two thousand five hundred (2,500) square feet; and

(B) abut directly onto a road, driveway, or parking lot.

(2) Mobile homes or manufactured homes shall not be parked closer than ten (10) feet from:

(A) an adjoining mobile home or manufactured home; or

(B) the expanded portions of the mobile home or manufactured home.

(3) No mobile home or manufactured home shall be enclosed around the bottom with a combustible material except that wood may be used for the framework. If mobile homes or manufactured homes are enclosed around the bottom and the water or sewer, or both, connection is located under the mobile home or manufactured home, an access opening or openings shall be provided in close proximity to the water and sewer connections to permit inspection of those connections.

(4) A hard surface area, constructed of concrete, stone, or masonry, shall be provided for each mobile home or manufactured home lot of adequate size to provide a base for steps to the mobile home or manufactured home. A hard surface walk shall connect the steps with the road, driveway, or parking lot.

(e) Bales of hay or straw shall not be used for skirting or insulation of mobile homes or manufactured homes.

410 IAC 6-6-4 Streets; parking spaces

Sec. 4. (a) There shall be no dead-end streets:

(1) less than twenty-four (24) feet in width; and

(2) in excess of one hundred fifty (150) feet in length; for vehicle traffic in a mobile home community.

- (b) At least one (1) auto parking space for each mobile home or manufactured home lot shall be provided within the property lines of the community.
- (c) Auto parking space may be included on the following:
 - (1) The mobile home or manufactured home lot.
 - (2) The community street.
 - (3) Separate parking lots.

If separate parking lots are used, each parking space shall be located within three hundred (300) feet of the mobile home or manufactured home lot it will serve.

- (d) The following provisions shall apply to all mobile home communities constructed after June 14, 1974, as well as to all additions to mobile home communities constructed after that date:
 - (1) Turnarounds serving to eliminate dead-end streets in communities shall have a diameter of at least sixty (60) feet.
 - (2) One-way streets shall be at least twelve (12) feet wide, and two-way streets shall be at least twenty-four (24) feet wide. If on-street parking is to be provided, each parking lane shall be at least an additional eight (8) feet wide.
 - (3) Overflow parking shall be provided in a mobile home community at the rate of one (1) space for each three (3) mobile homes or manufactured homes.

410 IAC 6-6-5 Minimum lighting

Sec. 5. There shall be a minimum of three-tenths (0.3) foot-candles illumination on streets and walkways in a mobile home community, except where an individual yard light is installed on each mobile home community lot. If an individual yard light is installed on each mobile home community lot it shall provide illumination at least equivalent to that of a forty (40) watt incandescent bulb.

410 IAC 6-6-6 Community buildings; toilet and laundry facilities

Sec. 6. (a) The community building of a mobile home community, when provided, shall be constructed in accordance with the electrical, plumbing and other building codes of the state and the municipal unit in which the community is located. Construction of the building must be in accordance with a plan approved by the department as well as by the department of fire and building services.

- (b) All exterior openings shall be covered with sixteen (16) mesh screen or equivalent during periods of the year when insects are prevalent.
- (c) Toilet and laundry rooms shall be constructed so that they can be well-lighted at all times. The laundry rooms shall have illumination of at least forty (40) foot candles on work areas such as washtubs, ironing boards and sorting tables. The toilet rooms shall have illumination of forty (40) foot candles in front of mirrors.
- (d) Sufficient hot water heating facilities shall be available so that the temperature of the hot water is maintained at a minimum of one hundred twenty (120) degrees Fahrenheit at all times for laundry facilities.
- (e) Laundry trays and automatic washers shall be connected to the sanitary sewer.
- (f) Community buildings shall be located at least fifteen (15) feet from any mobile or manufactured home.
- (g) Community buildings shall be maintained in a clean and sanitary condition at all times.

410 IAC 6-6-7.1 Water supply distribution systems

Sec. 7.1. (a) Each mobile home lot shall be provided with a cold water tap extending at least four (4) inches above the ground surface. In no case shall a stop and waste valve or other device that would allow aspiration or backflow or contaminated water into the potable water system be used.

- (b) The individual water and sewer connections on each mobile home lot shall be separated not less than five (5) feet horizontally.
- (c) The water supply system shall be capable of furnishing a minimum of two hundred (200) gallons per day per mobile home lot in all mobile home communities constructed after June 14, 1974, as well as in all additions to mobile home communities constructed after the date.
- (d) The water supply and distribution system must be as follows:
 - (1) Installed, maintained, and operated in accordance with 327 IAC 8.
 - (2) Capable of maintaining water pressure at not less than twenty (20) psi during periods of peak water demand.

410 IAC 6-6-8 Sewage disposal systems

Sec. 8. (a) A mobile home community shall dispose of sewage through use of a public sewerage system if the sewerage system is available within a reasonable distance from the mobile home community. If a public sewerage system is not available, sewage may be disposed of through use of a private system constructed in accordance with either of the following:

- (1) 410 IAC 6-10 for commercial on-site wastewater disposal systems.
 - (2) Applicable rules of the water pollution control board in the case of sewage disposal facilities other than commercial on-site wastewater disposal systems.
- (b) All components of the mobile home community sewage collection and disposal system shall be located in accordance with the provisions of 327 IAC 8 to prevent the possibility of contaminating the:
- (1) mobile home community water supply; and

- (2) water supplies of surrounding property owners.
- (c) Storm water or surface drainage shall not be discharged to the community sewer system receiving sanitary wastes from mobile homes, manufactured homes, and service buildings. Surface drainage shall be diverted away from the sewer and water riser. The rim of the riser tile shall extend at least four (4) inches above ground elevation.
- (d) All sewers receiving sanitary wastes shall be constructed as described by the Recommended Standards for Wastewater Facilities, 1997 Edition, as published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers except that sanitary sewers may be six (6) inches in diameter.
- (e) All sewage disposal facilities that have an effluent discharging into the waters of the state shall be constructed, operated and maintained in accordance with the requirements of the Indiana department of environmental management.
- (f) Sewers shall have manholes constructed at intervals of not more than four hundred (400) feet along the sewer. Manholes shall be installed at every change in size, alignment, or grade of the sewer.

410 IAC 6-6-9 Refuse disposal; inoperative motor vehicles

Sec. 9. (a) The mobile home community owner or operator, or both, shall be responsible for the following:

- (1) Satisfactory storage, collection and disposal of refuse.
- (2) Ensuring that subsections (b) through (g) are complied with.
- (b) Refuse shall be stored in fly-tight water-tight containers that shall be located not more than one hundred fifty (150) feet from any mobile home space. Refuse can liners (also known as trash bags) constructed of plastic, paper, or similar material may not be stored outside the mobile home or manufactured home. Hopper-type containers may be substituted for refuse cans where service permits. When hopper-type units are used they must be placed within a reasonable walking distance from the mobile home spaces to be served.
- (c) All refuse containers must be kept in a sanitary condition.
- (d) The area around the storage cans shall be kept clean and free of litter.
- (e) Refuse shall be disposed of in such a manner that it will not create fly breeding, rodent harborage, odor or smoke nuisances or health, fire or safety hazards.
- (f) Garbage or refuse shall not be burned, except at an approved disposal site.
- (g) No unlicensed or inoperative motor vehicle shall be allowed to remain in a mobile home community for more than thirty (30) days unless stored in a designated, visually screened area that is at least one hundred (100) feet from the nearest mobile home or manufactured home.

410 IAC 6-6-10 Electrical and gas facilities

Sec. 10. (a) All wiring and lighting fixtures shall be installed and maintained in a safe condition.

- (b) All gas outlet risers, regulators, meters, valves or other exposed equipment shall be protected by proper location or other means from mechanical damage by vehicles or other causes.
- (c) When gas is used, a properly installed system of gas lines and appurtenances that provides gas service adequate for safe operation of appliances and equipment shall be provided.

410 IAC 6-6-11 Ground anchors

Sec. 11. (a) In all mobile home communities and additions to mobile home communities, ground anchors shall be installed on each occupied mobile home lot.

- (b) When ground anchors are installed, they shall be installed along each I-beam of the mobile home in a row beginning not more than six (6) feet from each end wall of the mobile home. The ground anchors placed along the I-beams of the mobile home shall not be separated by more than twenty-four (24) feet unless a greater separation distance is certified by a registered professional engineer or architect as providing the same or better protection as that provided by the specified configuration.
- (c) Provision for diagonal ties between ground anchors and the mobile home shall be made in conjunction with each vertical tie-down.
- (d) Ground anchors exposed to weathering shall be resistant to weathering deterioration at least equivalent to that provided by a coating of zinc on steel of not less than thirty-hundredths (0.30) ounces per square foot of surface coated. Each ground anchor shall be as follows:
 - (1) Designed to resist an allowable working load equal to or exceeding three thousand one hundred fifty (3,150) pounds.
 - (2) Capable of withstanding a fifty percent (50%) overload without failure.
- (e) After the effective date of this rule, each mobile home or manufactured home installed in a mobile home community shall be installed by a manufactured home installer licensed in accordance with IC 25-23.7-8.
- (f) After the effective date of this rule, all new mobile homes or manufactured homes installed in a mobile home community shall be installed in accordance with the manufacturer's installation instructions, as required by IC 25-23.7-8-2.
- (g) After the effective date of this rule, all used mobile homes or manufactured homes installed in a mobile home community shall be installed in accordance with the manufacturer's installation instructions, if such installation instructions are available, as required by IC 25-23.7-8-2.

410 IAC 6-6-12 Submission of construction plans

Sec. 12. Any person or persons planning the construction, additions to, or significant change in the construction of any mobile home community shall, before the initiation of any such construction, submit plans, drawn to scale, to the department for review and approval. These plans must be certified by a registered engineer or architect licensed to practice in the state of Indiana except, as provided in IC 25-31-1-2(h), registered land surveyors may certify those portions of plans containing only:

- (1) platting or subdividing of land; and
- (2) gravity sanitary sewers, storms sewers, and tile drains.

410 IAC 6-6-13 Swimming pools

Sec. 13. All swimming pools operated as part of a mobile home community shall be operated and maintained in compliance with 410 IAC 6-2.1. Construction of the pool must be in compliance with a plan approved by the department of fire and building services.

410 IAC 6-6-14 Reporting communicable diseases

Sec. 14. (a) Every owner, operator or attendant operating a mobile home community shall notify the local health office immediately of any suspected communicable or contagious disease within the mobile home community.

(b) No conditions, situation or installation shall be created, installed or maintained that may:

- (1) cause or result in a health or safety hazard; or
- (2) cause or transmit disease or harbor rodents or other vermin.

410 IAC 6-6-14.1 Civil penalties schedule

Sec. 14.1. (a) The department may commence an action under IC 16-41-27-29 and IC 4-21.5-3-8 to levy civil penalties against a mobile home community operator who:

- (1) fails to comply with IC 16-41-27 or this rule; or
- (2) interferes with or obstructs the department or its designated agent in the performance of duties under IC 16-41-27.

(b) A civil penalty in an amount in the appropriate range specified in this section may be assessed for each day of each violation.

(c) In determining the seriousness of the violation and the specific amount of the civil penalty to be sought for each violation, the department will consider the following:

- (1) The potential for harm or imminent threat to public health.
- (2) The extent of deviation from statutory or regulatory requirements.
- (3) The degree of willfulness or negligence.
- (4) A history of noncompliance.

The absence of direct harm will not result in assessment of a lower penalty for a violation.

(d) Unless adjusted as provided for in subsection (e), all penalties shall be in accordance with the following schedule:

Violation		Range of Penalty
Mobile home sites	(410 IAC 6-6-2)	\$50 to \$100
Mobile home lots	(410 IAC 6-6-3)	\$50 to \$100
Streets and Parking	(410 IAC 6-6-4) (IC 16-41-27-15)	\$10 to \$50
Community lighting	(410 IAC 6-6-5) (IC 16-41-27-17)	\$10 to \$50
Water supply	(327 IAC 8-8-1) (IC 16-41-27-10)	\$100 to \$1,000
Water Risers	(327 IAC 8-8-1(h))	\$10 to \$50
Sewage disposal	(410 IAC 6-6-8) (IC 16-41-27-11)	\$100 to \$1,000
Sewer risers	(410 IAC 6-6-8(c))	\$50 to \$100
Refuse disposal	(410 IAC 6-6-9) (IC 16-41-27-12)	\$50 to \$100
Unlicensed or inoperative motor vehicles	(410 IAC 6-6-9(g))	\$50 to \$100
Electrical/gas utilities	(410 IAC 6-6-10)	\$100 to \$500
Mobile home safety	(410 IAC 6-6-11)	\$10 to \$100
Submission of plans	(410 IAC 6-6-12) (IC 16-41-27-22)	\$100 to \$1,000
Swimming pools	(410 IAC 6-6-13)	\$100 to \$500
Conditions for health and safety	(410 IAC 6-6-14)	\$100 to \$1,000
Domestic animals and house pets	(IC 16-41-27-16)	\$10 to \$100
Attendant or caretaker	(IC 16-41-27-9)	\$100 to \$500
Interference with department or its Agent		\$100 to \$1,000

(e) After determining the appropriate penalty based on the schedule in this section, the department may adjust the penalty to reflect a good faith effort to comply by the owner or operator of a mobile home community.

(f) Each individual penalty will be multiplied by the number of days the particular violation occurred. Penalties for violations occurring in two (2) consecutive inspections by the department shall be assessed on the basis that the violations have remained uncorrected over the period of time between the two (2) inspections.

(g) Penalties for all violations will be totaled and sought under one (1) cause of action.

(h) After filing an action under IC 4-21.5, and in an attempt to resolve violations of IC 16-41-27 and this rule without resort to a hearing, the department may negotiate and enter into agreed orders. An agreed order may suspend all or part of the civil penalty calculated under the requirements and deadlines established in the agreed order.

410 IAC 6-6-15 Incorporation by reference

Sec. 15. (a) "Recommended Standards for Wastewater Facilities", 1997 Edition, a report of the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, is hereby incorporated by reference as part of this rule.

(b) Incorporated materials are available from:

Health Education Services, Inc.

P.O. Box 7126

Albany, NY 12224

or available for public review at the department.