

17:8 MOBILE HOME COMMISSION ACT 96 OF 1987 AS AMENDED**17:8.1 Definitions**

The following definitions are critical to interpretation of the Act:

Mobile Home: a structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundations, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. Mobile home does not include a recreational vehicle.

Mobile Home Park: a parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and which is not intend for use as a temporary trailer park.

Seasonal Mobile Home Park: a parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual or temporary basis but occupied on a temporary basis only, and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home. Seasonal mobile home park does not include a campground licensed pursuant to Sections 12501 to 12516. Mobile home located in a seasonal mobile home park may be occupied on a full-time basis from April 1 through October 31, but shall not be occupied for more than 15 consecutive days in any 30-day period from November 1 to March 31

17:8.2 Purpose

Originally known as the Mobile Home Commission Act, Public Act 419 of 1976, **ACT 96 OF 1987 is substantially the same as the 1976 model and PROVIDES STANDARDS FOR THE MOBILE HOME INDUSTRY and for PROTECTION OF ITS RELATED CONSUMERS.**

The "Commission" is comprised of eleven members appointed by the Governor of Michigan. This Commission develops and issues the Mobile Home Code and other rules designed to implement Act 96.

The Commission members are chosen from the following segments related to the mobile home industry:

1. Financial institutions
2. Elected official, local government

3. Operator of a licensed mobile home park having less than 100 sites
4. Operator of a licensed mobile home park having 100 or more sites
5. A manufacturer of mobile homes
6. An organization whose membership consists of mobile home residents
7. A licensed mobile home dealer
8. A resident of a licensed mobile home park having less than 100 residents
9. A resident of a licensed mobile home park having 100 or more residents
10. Operator of a licensed mobile home park having 100 or more sites
11. Organized labor

17:8.3 Department of Public Health

By authority conferred on the Michigan Department of Public Health, Bureau of Environmental and Occupational Health by Section 6 of Act 419 and Section 2244 of Act 368 of the Public Acts of 1978, as amended, being SS125.1106 and 333.2233 of MI. Compiled Laws, THE DEPARTMENT OF PUBLIC HEALTH established criteria for storm water drainage.

These criteria are listed in Part 4 of the Health Department Standards and are as follows:

PART 4. DRAINAGE

R 325.3341 Floodplain limits.

Rule 41. A mobile home park or seasonal mobile home park shall be well drained. A pad, a sewage treatment and disposal system, a dwelling unit, and a park maintenance and service building shall be above the elevation of the contour defining the floodplain limits for a hypothetical flood having a recurrence frequency of once in about 100 years. No portion of a street that provides access to a site in a mobile home park or seasonal mobile home park shall be at an elevation lower than one foot below the elevation of the 100-year contour.

R 325.3342 Design of storm sewer.

Rule 42. A mobile home park or seasonal mobile home park storm sewer shall be designed to comply with the written rules regarding the outlet drainage limitations established by the **County Drain Commissioner** or applicable drain authority.

R 325.3343 Design of storm water drainage system; removal of excess storm water runoff.

Rule 43. The storm water drainage system in a mobile home park or seasonal mobile home park shall be designed to remove excess storm water runoff during any rainfall having an intensity and

recurrence frequency equivalent to a ten-year storm. The design storm shall be verified from local rainfall records when available.

R 325.3344 Hydraulic grade line.

Rule 44. The established hydraulic grade line for a storm water collection system based on the requirements of rules 42 and 43 shall be shown on the plans. The hydraulic grade line shall not exceed the elevation of the catch basin inlet castings or the overflow rim of open drains.

R 325.3345 Storm water pumping or retention ponds.

Rule 45. Storm water pumping or retention ponds may be used in park drainage systems. Where storm water pumping or a storm water retention pond is provided, the design shall meet the requirements of rules 42, 43 and 44.

R 325.3346 Storm water collection system; design requirements.

Rule 46. A storm water collection system shall meet or exceed the following minimum design requirements:

- a) A storm water collection pipe shall not be less than 8 inches in diameter.
- b) A minimum velocity of 2.5 feet per second shall be provided.

R 325.3347 Street grade.

Rule 47. A street in a mobile home park or seasonal mobile home park shall be sloped at a minimum grade of 0.4% to an approved storm water catch basin or other approved outlet.

R 325.3348 Drainage swale; grade.

Rule 48. A grassed swale to conduct drainage shall have a minimum grade of not less than 1%.

R 325.3349 Site drainage.

Rule 49. If possible, drainage from a mobile home site or other surface area shall be directed to the street, but may be directed to an approved outlet when the site topography makes drainage to the street impractical. Drainage may be routed across adjacent lots to approved outlets. A mobile home pad shall be elevated not less than six inches above that portion of the street or the drainage outlet at the lot boundary to which the site drainage is directed.

The Michigan House bipartisan Mobile Home Park Task Force held its first public hearing in Lansing on Thursday, April 30, 1998. This was the first of several hearings to discuss regulatory issues of mobile home parks. The three main issues will deal with local control; taxation and commission make up. The task force, upon completion of public

hearings, is to issue a report with its recommendations for the need of legislative direction revising current law.

17:8.4 Executive Summary

Drain Commissioners are advised to have written storm water management policy per Rule 325.3341. To address mobile home parks this policy should at a minimum protect adjoining property owners from developed storm water runoff and insure that storm water runoff is properly managed prior to discharge off-site into an adequate receiving drainage system. Minimum internal storm drainage design parameters for what Drain Commissioners should view as a private drainage system are specified in this report per rules 43 - 46 by the Department of Public Health. Commissioners are encouraged to work with local governmental units to incorporate the Drain Commissioners storm drainage site plan approval into the units written rules and approval process. Additional leverage may be gained by the Drain Commissioner by working closely with the road commission or its equivalent in a city or village.

The states Soil Erosion and Sedimentation Control Act may provide another vehicle for Drain Commissioner input especially if the Act is enforced through the Commissioner's office.

Finally, if an established drain traverses the proposed mobile home development the commissioner should closely monitor other concerns such as 1) related drainage easements; 2) erosion control along banks and proposed outlets; 3) the condition of the drain and ease of future maintenance; 4) crossings.

QUESTIONS AND ANSWERS

- 1: Is the Drain Commissioner's authority in regulation of mobile home parks limited to when storm water is discharged into an established county drain?**
- A:** No. Rule 41 states that storm drainage for a mobile home park shall be designed to comply with written rules for outlet drainage limitations established by the Drain Commissioner.
- 2: When the Drain Commissioner's written rules set standards for internal storm drainage are more restrictive than those required by the Michigan Department of Public Health, which criteria applies?**
- A:** The Drain Commissioner's written rules may be more restrictive, but not less restrictive, than the requirements of the Michigan Department of Public Health. However, more restrictive rules must be approved by the Mobile Home Commission.