

ORS 446.252 and this section conflict with the provisions under ORS chapter 455, the provisions of ORS 446.252 and this section shall control.

(2) Except as otherwise provided by this subsection, any municipality that establishes a program under ORS 455.150, 446.252 and this section to administer and enforce installations of manufactured dwellings and manufactured structure accessory buildings and structures shall assume full responsibility for permit issuance and inspections under that program including related electrical, plumbing, structural and mechanical installations for a manufactured dwelling and manufactured structure accessory buildings and structures as defined in ORS 446.003.

(3) The director may by order relieve a municipality from compliance with the requirements of subsection (2) of this section under the following conditions:

- (a) Budget limitations of the municipality;
- (b) Inadequate staffing of the municipality;
- (c) Inability to contract services with another municipality; or
- (d) Where the public is inconvenienced by increased cost, travel distance or time loss.

(4) The Department of Consumer and Business Services, subject to ORS 183.310 to 183.550, may revoke any authority of a local government to conduct inspections, administration or enforcement of manufactured dwelling installations and manufactured structure accessory building installations and manufactured dwelling alterations under ORS 455.150 if the director determines that the municipality is not effectively carrying out duties assumed by the municipality. [1989 c.1017 §3; 1991 c.226 §17; 1991 c.409 §6; 1993 c.744 §56; 1995 c.251 §7; 1997 c.205 §5]

446.255 Revocation of agreement with local government. (1) After written notice and hearing as provided in subsection (2) of this section, the Director of the Department of Consumer and Business Services may revoke the certification of a local inspector certified under ORS 446.250, or the authority of a local government to enforce provisions of ORS 446.003, 446.111, 446.160, 446.176, 446.225 to 446.285 and 446.990, when it appears by competent evidence that the inspector or local government has consistently failed to act in the public interest in the enforcement of the provisions of ORS 446.003, 446.111, 446.160, 446.176, 446.225 to 446.285 and 446.990.

(2) Any proceedings under subsection (1) of this section shall be conducted pursuant to the provisions of ORS 183.415 to 183.430,

183.440 to 183.460, 183.470 to 183.485 and 183.490 to 183.550, dealing with contested cases. [1975 c.546 §5a]

446.260 Notification by manufacturer of manufactured home defect; other disclosures; rules. (1) Every manufacturer of manufactured homes offered for sale or lease in this state shall furnish notification of any defect in any manufactured home produced by the manufacturer that the manufacturer determines, in good faith, relates to a federal manufactured housing construction or safety standard or constitutes an imminent safety hazard to the purchaser of the manufactured home, within a reasonable time after such manufacturer has discovered the defect.

(2) The Director of the Department of Consumer and Business Services is authorized to adopt rules for notification required by subsection (1) of this section. The rules shall conform to notification and correction of defects and record keeping requirements of the Secretary of Housing and Urban Development under the National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93-389).

(3)(a) In addition to the notification required under subsection (1) of this section, the director may adopt rules to identify the disclosures required of a dealer or distributor prior to the sale of new manufactured structures more than eight feet six inches wide in travel mode. Disclosure required under this subsection shall be limited to information regarding permissible uses, roof snow loads and anchoring of manufactured structures.

(b) The Department of Consumer and Business Services shall develop and make available to all dealers and distributors of manufactured structures a standard disclosure. The disclosure shall be completed in writing by the dealer or distributor of any affected manufactured structure prior to sale. A completed disclosure shall be presented to the purchaser for signature at the time of sale and a copy of the signed disclosure provided to the purchaser. The signed disclosure shall be retained by the dealer or distributor for not less than five years following the date of sale. [1975 c.546 §6; 1989 c.648 §26; 1991 c.226 §8; 1997 c.205 §6; 1999 c.59 §124]

446.265 Transitional housing accommodations; regulation and limitations; definition. (1) A municipality may approve the establishment of a campground inside an urban growth boundary to be used for providing transitional housing accommodations. The accommodations may consist of separate facilities, in the form of yurts, for use as living units by one or more individuals or by families. The person establishing the accommodations may provide access to water, toilet, shower, laundry, cooking, telephone or

other services either through separate or shared facilities. The accommodations shall provide parking facilities and walkways.

(2) Transitional housing accommodations described under subsection (1) of this section shall be limited to persons who lack permanent shelter and cannot be placed in other low income housing. A municipality may limit the maximum amount of time that an individual or a family may use the accommodations.

(3) Campgrounds providing transitional housing accommodations described under this section may be operated by private persons or nonprofit organizations. The shared facilities of the campgrounds are subject to regulation under the recreation park specialty code described under ORS 446.310 to 446.350. The transitional housing accommodations are not subject to ORS chapter 90.

(4) To the extent deemed relevant by the Department of Consumer and Business Services, the construction and installation of yurts on campgrounds used for providing transitional housing accommodations established under this section is subject to the manufactured structures specialty code described in ORS 446.155. Transitional housing accommodations not appurtenant to a yurt are subject to regulation as provided under subsection (3) of this section.

(5) Campgrounds established for providing transitional housing accommodations shall not be allowed on more than two parcels in a municipality. In approving the use of parcels for a campground, the municipality shall give preference to locations that have access to grocery stores and public transit services.

(6) As used in this section, "yurt" means a round, domed tent of canvas or other weather resistant material, having a rigid framework, wooden floor, one or more windows or skylights and that may have plumbing, electrical service or heat. [1999 c.758 §6]

446.270 [1975 c.546 §7; 1977 c.161 §4; 1979 c.342 §2; 1979 c.593 §32a; 1981 c.897 §51; 1989 c.648 §27; 1991 c.226 §9; repealed by 2001 c.411 §31]

446.271 Civil penalty for violation of ORS 446.003 to 446.200 or 446.225 to 446.285 or related rules. The Department of Consumer and Business Services may impose a civil penalty for a violation of ORS 446.003 to 446.200 or 446.225 to 446.285 or rules adopted or orders issued for the administration or enforcement of those sections. The department shall impose a civil penalty authorized by this section as provided in ORS 455.895. [2001 c.411 §2]

446.280 Manufactured Structures and Parks Advisory Board. (1) The Manufactured Structures and Parks Advisory Board

is established in the Department of Consumer and Business Services. The Director of the Department of Consumer and Business Services shall appoint the board to serve in an advisory capacity to the director in promulgating, administering and enforcing the plan for the administration and enforcement of the National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93-383) and safety standards pursuant to ORS 446.003 to 446.200, 446.225 to 446.285, 446.310 to 446.350 and 446.395 to 446.420.

(2) The board shall consist of 12 members, one member representing or engaged in each of the following:

(a) The selling, leasing and distributing of new manufactured homes.

(b) The selling, leasing and distributing of recreational vehicles.

(c) The manufacturing or assembling of new manufactured homes.

(d) The manufacturing or assembling of new recreational vehicles.

(e) The manufacturing, assembling or selling of manufactured dwelling accessory structures.

(f) The owners or operators of mobile home or manufactured dwelling parks or recreation parks.

(g) Consumer organizations.

(h) Users of low and moderate income housing.

(i) Structural engineering.

(j) Local government building official duties.

(k) The deputies or assistants to the State Fire Marshal.

(L) The installation of manufactured dwellings.

(3) Appointments shall be made for a term of four years and no member shall be eligible for appointment to more than two full terms of office.

(4) Vacancies occurring in the membership of the board for any cause shall be filled by appointment for the balance of the unexpired term.

(5) The director may remove any member of the board for misconduct, incompetency, or neglect of duty.

(6) The board shall meet at least once each year.

(7) Seven members shall constitute a quorum for the transaction of business.

(8) The board shall elect its own chairperson and meet on call of the director, chairperson or majority of the members. The