

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 660

BY SENATOR BOSO

[Introduced February 18, 2019; Referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §8A-11-1 of the Code of West Virginia, 1931, as amended, relating
 2 to standards for factory-built homes; and requiring cities and counties when enacting any
 3 ordinance or regulation for the purposes of regulating the subdivision, development, and
 4 use of land, to uniformly apply design standards and associated review and permitting
 5 procedures for factory-built and other single-family constructed homes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 11. SPECIAL PROVISIONS.

§8A-11-1. Standards for factory-built homes.

1 (a) Notwithstanding any existing provisions of law, municipal or county ordinance or state
 2 building code, the standards for factory-built homes, housing prototypes, subsystems, materials
 3 and components certified as acceptable by the federal Department of Housing and Urban
 4 Development are considered acceptable and are approved for use in housing construction in this
 5 state.

6 (b) Appropriate building code compliance documentation attached to a factory-built home
 7 shall constitute prima facie evidence that the products or materials contained therein are
 8 acceptable.

9 (c) A governing body of a municipality or a county, when ~~enacting residential design~~
 10 ~~standards~~ any ordinance or regulation for the purposes of regulating the subdivision, development
 11 and use of land, shall uniformly apply such design standards and associated review and
 12 permitting procedures for factory-built and other single-family constructed homes.

13 (d) Factory-built homes, like other types of homes, shall be constructed and installed in
 14 conformity with the requirements of 44 C.F.R. §60.3(1976) and any applicable statute or rule
 15 relating to building in a flood zone.

NOTE: The purpose of this bill is to require cities and counties when enacting any ordinance or regulation for the purposes of regulating the subdivision, development and use of land, to uniformly apply design standards and associated review and permitting

procedures for factory-built and other single-family constructed homes.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.