

AMENDED IN SENATE MAY 19, 2009
AMENDED IN SENATE MAY 4, 2009
AMENDED IN SENATE APRIL 23, 2009
AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 398

Introduced by Senator Correa

February 26, 2009

An act to amend Section 18691 of, and to add Section 18308 to, the Health and Safety Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 398, as amended, Correa. Mobilehome parks: fire code enforcement.

(1) The Mobilehome Parks Act authorizes the governing body of a city, county, or city and county, following approval by the Department of Housing and Community Development, to assume responsibility for the enforcement of the act and the regulations adopted pursuant to the act, and other specified provisions of law and the regulations adopted pursuant to those provisions, upon the governing body's provision of 30 days' notice to the department. The act, notwithstanding specified provisions of law, also authorizes a city, county, city and county, or special district that is not the enforcement agency under the act to enforce its fire prevention code, as it relates to specified subjects, in mobilehome parks.

~~This bill would require enforcement agencies responsible for the enforcement of the act and the regulations adopted pursuant to the act to maintain all records on file of mobilehome park inspections conducted since January 1, 1991. The bill would require the department, to the~~

~~extent funding is available, to make all inspection records available pursuant to the act and specified records and reports relating to fire hydrants accessible on the department's Internet Web site by no later than July 1, 2012. The~~ *This* bill would also delete the authorization of a city, county, city and county, or special district that is not the enforcement agency under the act to enforce its fire prevention code, as it relates to those specified subjects, in mobilehome parks.

(2) Existing law requires that regulations adopted by the department be applicable in all parks, except in a park within a city, county, or city and county that is the enforcement agency and has adopted and is enforcing a fire prevention code imposing restrictions equal to or greater than the restrictions imposed by building standards published in the California Building Standards Code and other state regulations.

This bill would delete from the exception the requirement that the city, county, or city and county be the enforcement agency and instead require, in addition to other criterion, that the park be within a city, county, ~~or~~ city and county, *or special district* that has assumed fire code enforcement in accordance with existing law.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 18308 is added to the Health and Safety~~
 2 ~~Code, to read:~~

3 ~~18308. (a) Enforcement agencies responsible for the~~
 4 ~~enforcement of this part and the regulations adopted pursuant to~~
 5 ~~this part shall maintain all records on file of mobilehome park~~
 6 ~~inspections conducted since January 1, 1991.~~

7 ~~(b) The department shall, to the extent funding is available,~~
 8 ~~make all inspection records available pursuant to subdivision (a)~~
 9 ~~and records and reports relating to fire hydrants required by~~
 10 ~~subdivision (a) of Section 18691 accessible on the department's~~
 11 ~~Internet Web site by no later than July 1, 2012.~~

12 ~~SEC. 2.~~

13 ~~SECTION 1. Section 18691 of the Health and Safety Code is~~
 14 ~~amended to read:~~

15 ~~18691. (a) The department shall adopt rules and regulations~~
 16 ~~that it determines are reasonably consistent with generally~~
 17 ~~recognized fire protection standards, governing conditions relating~~

1 to the prevention of fire or for the protection of life and property
2 against fire in parks. The department shall adopt and submit
3 building standards for approval pursuant to Chapter 4 (commencing
4 with Section 18935) of Part 2.5 for the purposes described in this
5 section within permanent buildings. The department, in
6 consultation with local firefighting agencies, shall adopt and
7 implement no later than January 1, 2002, regulations that require
8 regular maintenance and periodic inspection and testing of fire
9 hydrants in mobilehome parks.

10 (b) Before assuming fire code enforcement in accordance with
11 this part, a city, county, city and county, or special district shall
12 give the department a 30-day written notice. A city, county, city
13 and county, or special district that enforces its fire prevention code
14 in accordance with this part shall apply its code provisions to
15 conditions that arise after adoption of its fire prevention code, to
16 conditions not legally in existence at the adoption of its fire
17 prevention code, or to conditions that, in the opinion of the fire
18 chief, constitute a distinct hazard to life or property.

19 (c) The regulations adopted by the department shall be
20 applicable in all parks, except in a park within a city, county, ~~or~~
21 ~~city and county~~ *city and county, or special district* that has assumed
22 fire code enforcement in accordance with this part and has adopted
23 a fire prevention code imposing restrictions equal to or greater
24 than the restrictions imposed by those building standards published
25 in the California Building Standards Code and ~~the other state~~ *other*
26 *state fire prevention* regulations adopted by the department.

27 (d) Notwithstanding the provisions of this section, the rules
28 and regulations adopted by the department relating to the
29 installation of water supply and fire hydrant systems shall not apply
30 within parks constructed, or approved for construction, prior to
31 January 1, 1966.