Chapter 446

1974 REPLACEMENT PART

Mobile Home and Tourist Facilities; Parks and Camps

MOBILE HOME AND OTHER TOURIST FACILITIES

446.002 Definitions for ORS 446.002 to 446.200
446.004 Additional definitions for ORS 446.002 to 446.200
446.006 Certificate of sanitation required; exceptions
446.012 Application for certificate of sanitation
446.015 Policy
446.016 Certificate fee
446.026 Renewal of certificates
446.036 Penalties for delinquency in applying for certificate or paying renewal fees
446.042 Certificates not transferable; refunds prohibited
446.046 Issuance of certificates; posting certificate
446.052 Denial, suspension or revocation of certificates
446.056 Reinstatement of suspended or revoked certificate; issuance of previously denied certificate
446.062 Rules for tourist facilities and parks; furnishing copy to applicant
446.066 Inspection of tourist and travelers' facilities
446.072 Uniform enforcement throughout state
446.076 Disposition of moneys collected; Tourist Facilities Account
446.090 Application of ORS 446.095 to 446.105
446.095 Park construction and facilities
446.100 Prohibited acts in connection with construction and use of parks
446.105 Temporary parks
446.111 Regulation of structures in parks
446.115 Sanitation of parks; pets to be controlled
446.125 Occupancy on private land
446.140 Removal from park when delinquent in rent or utility charges
446.145 Records to be maintained at parks
446.155 Sanitation and safety requirements for mobile homes
446.160 Inspection; regulations
446.170 Insigne of compliance required; when displayed
446.175 Fees
446.180 Safety standards of other states
446.185 Minimum safety standards for equipment and installations
446.190 Power to enjoin violations
446.200 When noncompliance with city or county regulations authorized
446.210 Limited maintenance electrician's license for work on mobile homes and recreational vehicles

RECREATION PARKS AND ORGANIZATIONAL CAMPS

446.310 Definitions for ORS 446.310 to 446.350
446.315 Policy
446.320 Certificate of sanitation required
446.325 Certain parks exempt when approved
446.330 Rules; enforcement
446.335 Inspections of parks and camps; right of access
446.340 Responsibility of owner or operator for sanitary conditions
446.345 Prohibited acts
446.350 Recreation Park Account

MISCELLANEOUS

446.425 Contract with county to administer certain sanitation laws

PENALTIES

446.990 Penalties

CROSS REFERENCES

Administrative procedures and rules of state agencies, Ch. 183
Discrimination on account of race, religion, color or national origin in places of public accommodation, 30.670
Recreational vehicles, sealed disposal system required in operating over highways, 483.497
Residential Landlord and Tenant Act, 91.760 to 91.865

446.006

Public bathing and swimming facilities, 448.005 to 448.090

446.015

Safe employment act, application to farm labor camps, 1973, c.833

446.076

Moneys received by Health Division, deposit and use, 431.210, 431.220

446.140

Innkeeper's lien, 87.525
Landlord and tenant, Ch. 91
Possessory lien of person who stores personal property, 87.500, 91.720

MOBILE HOME AND OTHER TOURIST FACILITIES

446.002 Definitions for ORS 446.002 to 446.200. As used in ORS 446.002 to 446.200, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Health Division.

(2) "Division" means the Health Division of the Department of Human Resources.

(3) "Mobile home" means a vehicle or structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, is intended for human occupancy and is being used for residential purposes.

(4) "Mobile home park" means any place where two or more mobile homes are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

(5) "Travelers' accommodation" includes any establishment having rooms or apartments rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities.

(6) "Camping vehicle" means either a vacation trailer or a self-propelled vehicle or structure equipped with wheels for highway use and which is intended for human occupancy and is being used for vacation and recreational purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet.

(7) "Carport" means a stationary structure consisting of a roof with its supports and not more than one wall, or storage cabinet substituting for a wall, and used for sheltering a motor vehicle.

(8) "Ramada" means a stationary structure having a roof extending over a mobile home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain.

(9) "Awning" means any stationary structure, permanent or demountable, used in conjunction with a mobile home or trailer, other than a window awning, for the purpose of providing shelter from the sun and rain, and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.

(10) "Cabana" means a stationary, lightweight structure which may be prefabricated, or demountable, with two or more walls, used adjacent to and in conjunction with a trailer to provide additional living space meant to be moved with the trailer.

[1953 c.490 §2; 1959 c. 562 §1; 1961 c.665 §1; 1967 c.247 §1; 1969 c.533 §11; 1973 c.560 §1]

446.004 Additional definitions for ORS 446.002 to 446.200. As used in ORS 446.002 to 446.200, unless the context requires otherwise:

(1) "Electrical inspector" means an authorized employe of the Department of Commerce.

(2) "Fire inspector" means a deputy or assistant of the Fire Marshal.

(3) "Fire Marshal" means the State Fire Marshal.

(4) "Inspecting authority" means a plumbing inspector, a fire inspector, an electrical inspector or any one of such inspectors authorized to make a joint inspection for the Department of Commerce.

(5) "Department" means the Department of Commerce.

(6) "Minimum safety standards" means standards prescribed by regulations adopted under ORS 446.185 by the division, the Fire Marshal or the Department of Commerce.

(7) "Plumbing inspector" means an authorized representative of the Department of Commerce.

(8) "Recreational vehicle" means a vacation trailer or other unit with or without motive power which is designed for human occupancy and to be used temporarily for recreational or emergency purposes and has a floor space of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms. The unit shall be identified as a recreational vehicle by the manufacturer.

[1969 c.295 §2; 1971 c.753 §42]

446.006 Certificate of sanitation required; exceptions. No person shall establish, operate, manage or maintain any travelers' accommodation or mobile home park without first securing a certificate of sanitation from the administrator as provided in ORS 446.012 to 446.046.

[1953 c.490 §3; 1967 c.247 §2; 1969 c.533 §12; 1973 c.560 §2]

446.010 [Repealed by 1953 c.490 §21]

446.012 Application for certificate of sanitation. Application for a certificate of sanitation shall be made in writing on a form

prepared for that purpose and provided by the Health Division and shall contain the name and address of the applicant and any other information which the division may require.
[1953 c.490 §4; 1971 c.650 §22]

446.015 Policy. In the interest of protecting public health and safety, of protecting migrant and seasonal farmworkers and of assuring the maintenance of an adequate agricultural labor work force, it is the policy of the State of Oregon to develop health and housing standards for farm labor camps.
[1971 c.588 §1]

446.016 Certificate fee. Every applicant for a certificate of sanitation shall pay to the administrator a fee in an amount to be determined as follows:

(1)

Number of cabins, cottages, sleeping rooms, camping spaces or other rental units	License fee in dollars
Up to 25	$ 25
26 to 50	50
51 to 75	75
76 to 100	100
101 and over	100 plus 50 cents for each unit over 100.

(2) For each picnic park or organizational camp as defined in ORS 446.310, the fee is $15.
[1953 c.490 §5; 1973 c.560 §3]

446.020 [Repealed by 1953 c.490 §21]

446.022 [1953 c.490 §6; 1969 c.533 §13; repealed by 1973 c.560 §22]

446.026 Renewal of certificates. (1) All certificates issued under ORS 446.002 to 446.200 shall be renewed on or before December 31 of each year.

(2) Renewal fees shall be the same as those provided for initial certificates in ORS 446.016.
[1953 c.490 §7]

446.030 [Repealed by 1953 c.490 §21]

446.032 [1953 c.490 §16; repealed by 1959 c.562 §16]

446.036 Penalties for delinquency in applying for certificate or paying renewal fees. (1) Any person failing to apply for a sanitation certificate within 30 days after engaging in the mobile home park or travelers' accommodation business is delinquent and shall pay a penalty of 20 percent of the license fee in addition to the fee provided in ORS 446.016.

(2) Any person, initially licensed under ORS 446.002 to 446.200, failing to pay the renewal fee before January 10 of each year is delinquent and shall pay a penalty of 10 percent of the license fee provided in ORS 446.016 and 446.026, but if the delinquency continues beyond February 1 of any year, an additional 10 percent shall be added to the renewal fee for each month of delinquency.
[1953 c.490 §8; 1969 c.533 §14]

446.040 [Repealed by 1953 c.490 §21]

446.042 Certificates not transferable; refunds prohibited. Certificates issued under ORS 446.002 to 446.200 shall not be transferable and no refund representing any unused portion of any certificate shall be made.
[1953 c.490 §9]

446.046 Issuance of certificates; posting certificate. (1) Upon receipt of any application and required fee and after determination that the applicant has complied with the provisions of ORS 446.002 to 446.200 and the rules of the division, the administrator shall issue a certificate of sanitation on such forms as the division prescribes.

(2) All certificates of sanitation shall be posted in plain and open view in the place serving as office of the establishment licensed under ORS 446.002 to 446.200.
[1953 c.490 §10; 1973 c.560 §4]

446.050 [Repealed by 1953 c.490 §21]

446.052 Denial, suspension or revocation of certificates. (1) Any certificate of sanitation shall contain a condition that the certificate may be revoked if the applicant fails to comply with the provisions of ORS 446.002 to 446.200 or the rules of the division.

(2) Whenever, in the judgment of the administrator, any applicant for a certificate or any person to whom a certificate has been issued fails to comply with the provisions of ORS 446.002 to 446.200 or with the rules of the division, the administrator may deny issuance of, suspend or revoke the certificate.

(3) Hearings on denial, suspension or revocation of a certificate of sanitation shall be conducted as a contested case in accordance with ORS 183.310 to 183.500.
[1953 c.490 §11; 1967 c.247 §3; 1971 c.734 §63; 1973 c.560 §5]

446.056 Reinstatement of suspended or revoked certificate; issuance of previously denied certificate. The administrator may reinstate any certificate of sanitation which has been suspended or revoked, or issue one

which has been denied when the administrator is satisfied that the applicant or former holder is complying with ORS 446.002 to 446.200 and the rules of the division.
[1953 c.490 §12; 1973 c.560 §6]

446.060 [Repealed by 1953 c.490 §21]

446.062 Rules for tourist facilities and parks; furnishing copy to applicant. (1) The Health Division shall, under ORS 183.310 to 183.500, make such rules concerning the construction and operation of travelers' accommodations as are reasonably necessary effectively to protect the public health and the welfare of persons using those facilities. These rules shall pertain but not be restricted to water supplies, sewage disposal, drainage, plumbing, building construction and maintenance, lighting, ventilation, insect and rodent control, garbage and refuse disposal, allocation and maintenance of camping space, cleanliness of the premises, buildings, furniture, bedding and linens, and the registration of guests. However, no rule shall be made prohibiting the construction of one-room cottages.

(2) The Health Division shall issue rules under ORS 183.310 to 183.500 to regulate mobile home parks. These rules shall conform to ORS 446.090 to 446.105 and 446.115 to 446.145, and to subsection (1) of this section.

(3) A copy of such rules shall be furnished by the Health Division to each applicant for a certificate under ORS 446.002 to 446.200.
[1953 c.490 §13; 1959 c.562 §13; 1969 c.533 §15]

446.066 Inspection of tourist and travelers' facilities. (1) The administrator or his duly authorized representative may inspect every mobile home park or travelers' accommodation in order to determine whether they conform with the provisions of ORS 446.002 to 446.200 and the standards set by the rules of the division. Any person operating such facilities shall at all reasonable times, upon request of the administrator permit access to all parts of the facilities.

(2) Operators of seasonal facilities which customarily are closed for 120 days or more in any 12-month period shall notify the administrator in writing of their intention to reopen at the beginning of a season. Such notice shall be given at least 30 days prior to such reopening.
[1953 c.490 §14; 1969 c.533 §16; 1973 c.560 §7]

446.070 [Repealed by 1953 c.490 §21]

446.072 Uniform enforcement throughout state. The Health Division shall make such surveys as are necessary to assure uniform enforcement of ORS 446.002 to 446.200 and subsections (1) and (2) of ORS 446.990 throughout the state.
[1953 c.490 §17; 1959 c.562 §14]

446.076 Dispostion of moneys collected; Tourist Facilities Account. All moneys received by the administrator shall be paid into the State Treasury and shall be placed to the credit of the General Fund in an account to be known as the Tourist Facilities Account, which hereby is appropriated continuously and shall be used only for the administration and enforcement of ORS 446.002 to 446.200 by the division.
[1953 c.490 §15; 1973 c.560 §8]

446.080 [Repealed by 1953 c.490 §21]

446.082 [1953 c.490 §19; 1969 c.533 §17; repealed by 1973 c.560 §22]

446.090 Application of ORS 446.095 to 446.105. Subsections (3), (4) and (5) of ORS 446.095, subsection (3) of 446.100 and ORS 446.105 do not apply to a mobile home park that was constructed before August 5, 1959. However, any changes or additions made in any mobile home park after August 5, 1959, shall conform to ORS 446.095 to 446.105 and the rules of the division issued thereunder.
[1959 c.562 §3; 1967 c.247 §4; 1969 c.533 §18]

446.095 Park construction and facilities. The owner or operator of a mobile home park shall:

(1) Construct well-drained and hard-surfaced driveways at least 20 feet in width, unobstructed and open to traffic within the mobile home park. If he permits parking of motor vehicles on the driveways, he shall construct the driveways at least 30 feet in width.

(2) Provide to each tenant an adequate supply of healthful water and adequate electric power, sewerage facilities and receptacles for garbage. All plumbing shall be installed in compliance with ORS 447.010 to 447.140 and the rules of the Department of Commerce issued thereunder.

(3) Provide one box for outgoing mail and another box for incoming mail, if the mobile home park is on a mail route. When possible, he shall cause a public or private telephone to be made available to the tenants, including service for outgoing emergency calls at night.

(4) Provide, except as specified in subsection (5) of this section, a separate general play area restricted to that use, if the mobile home park accommodates children who are under 14 years of age. No separate play area shall be less than 2,500 square feet in area. At least 100 square feet of play area shall be provided for each mobile home occupied by children.

(5) Not be required to provide a separate play area if the mobile home park accommodates children who are under 14 years of age and is constructed so as to provide each space with a minimum of 4,000 square feet.

(6) Construct on each trailer space, adjacent and parallel to the mobile home space one or more wooden decks or slabs or patios of concrete, asphalt, flagstone or the equivalent, which singly or in combination total at least 120 square feet.

[1959 c.562 §4; 1967 c.247 §5; 1969 c.491 §1; 1969 c.533 §19; 1973 c.560 §9]

446.100 Prohibited acts in connection with construction and use of parks. No person shall:

(1) Construct a mobile home park at a place that is unsuitable due to swampy terrain, lack of adequate drainage or proximity to the breeding places of insects or rodents.

(2) Park a mobile home closer than 15 feet from another mobile home, closer than 10 feet from a building or closer than five feet from a property boundary line.

(3) Construct a mobile home space in a mobile home park less than 30 feet in width or less than 40 feet in length.

[1959 c.562 §5; 1969 c.533 §20]

446.105 Temporary parks. (1) The administrator may issue a permit for the establishment of a temporary mobile home park to a construction company, timber company or farm if:

(a) There is no available space in a mobile home park within a reasonable distance, and

(b) A mobile home park is necessary for the proper housing of the company's employes until the construction, farm or logging project is finished.

(2) Upon approval of the administrator and the county or city planning commission, a permit may be issued to a person to establish a temporary mobile home park on his own premises in areas having a critical housing shortage due to large construction projects. The permit shall expire upon completion of the project.

(3) The administrator shall supervise temporary mobile home parks permitted under subsections (1) and (2) of this section to enforce minimum standards of sanitation for temporary mobile home parks prescribed by the rules of the division.

(4) Buildings, tents or mobile homes maintained or permitted to be maintained by persons on their own or leased premises and used exclusively to house their own or their contracted farm or timber labor are not subject to ORS 446.002 to 446.200.

[1959 c.562 §6; 1967 c.247 §6; 1969 c.533 §21; 1973 c.560 §10]

446.110 [Repealed by 1959 c.562 §16]

446.111 Regulation of structures in parks. (1) No stationary structure may be erected within a mobile home park without the consent of the owner or operator; and when giving consent, it shall be the duty of the mobile home park manager to advise the tenant or builder of the standards required by this section.

(2) All stationary structures erected within a mobile home park after August 9, 1961, shall conform to this section, and shall not be used or maintained in such a manner as to become a menace to health and safety.

(3) Unless a manufacturer, distributor or dealer of an awning, ramada, carport or cabana submits complete plans and specifications together with supporting engineering computations and analysis for a particular manufactured or distributed model and receives a letter of approval from the administrator, that model may not be erected within a mobile home park. No deviations from the approved plans and specifications shall be made without first obtaining written approval of the administrator.

(4) Any structure named in this section not prefabricated may be erected within a mobile home park only when a duplicate sketch showing floor plan, dimensions and materials used has first been submitted to the administrator and, in a county or city having a local zoning and building inspection officer, to such officer, and the administrator and, in a county or city having a local zoning or building inspection officer, such officer has marked one copy approved and signed it. No inspection of construction shall be required, but inspection may be made during any reasonable hours.

(5) Cabanas, carports and ramadas shall

be of sturdy construction securely fastened together and fastened to the ground. The roofs of ramadas must clear the mobile homes by a vertical distance of at least 18 inches, and carports and ramadas shall not be attached to mobile homes. All vents, chimneys and ducts extending through the roof of the mobile home shall also extend through the roof of the ramada, and shall also be of an approved slip joint or quick disconnect type.

(6) Awning roofs of fabric, light plastic, or lightweight metal may be attached to the awning track on the mobile home. Awnings of heavier materials shall be free standing structures, and may not be attached to the mobile home other than by a strip of thin material fastened to the mobile home by a sealing compound. Awning drop or side curtains shall consist solely of fabric, split bamboo or like flexible material.

(7) No cabana constructed after August 9, 1961, shall exceed 12 feet in width or 40 feet in length, nor shall it be less than six feet in width or 15 feet in length. A cabana shall consist of only one room with the exception of a toilet or bathroom and a small storage compartment. More than one cabana may not be erected for use in conjunction with a mobile home, and a cabana may not cover more than one side of the mobile home. The distance between a cabana and a mobile home on an adjacent lot or space may not be less than 10 feet. No carport, ramada, awning or cabana shall be located closer than five feet to the park property boundary line. The minimum ceiling height shall be eight feet, but if a sloping roof is used the lowest part of the ceiling may be not less than six feet six inches. All electrical wiring of cabanas or other structures erected and used in conjunction with mobile homes shall be wired in a safe and workmanlike manner, and all materials used shall conform to the Oregon Electrical Code applicable to permanent structures. All plumbing shall comply with applicable local plumbing codes.

(8) This section does not preclude the setting and enforcement of higher standards by cities or counties in regard to any structure defined in ORS 446.002.

[1961 c.665 §3; 1967 c.247 §7; 1969 c.533 §22; 1973 c.560 §11]

446.115 Sanitation of parks; pets to be controlled. (1) The owner or operator of a mobile home park is responsible for the sanitary condition of the park grounds and buildings.

(2) No person shall allow his pet animal to run at large or to create any health hazard within a mobile home park.

[1959 c.562 §§8, 9; 1967 c.247 §8; 1969 c.533 §23; 1973 c.560 §12]

446.120 [Repealed by 1959 c.562 §16]

446.125 Occupancy on private land. A person may occupy a mobile home or a camping vehicle on private land with the consent of the owner of the land if:

(1) The lot, tract or parcel of land upon which the trailer or camping vehicle is situated has an area adequate to provide safe, approved water supply and sewage disposal facilities and is not in conflict with subsection (4) of ORS 446.002 or subsection (4) of ORS 446.310.

(2) He complies with all applicable standards of sanitation, water, plumbing and electrical and sewerage installations prescribed by the laws of this state and the rules issued thereunder, or by local authorities.

[1959 c.562 §10; 1967 c.247 §9; 1969 c.533 §24]

446.130 [Repealed by 1959 c.562 §16]

446.135 [1959 c.562 §11; 1967 c.247 §10; repealed by 1969 c.533 §27]

446.140 Removal from park when delinquent in rent or utility charges. No tenant of a mobile home park, when delinquent in his rent or utility charges, shall remove his mobile home or camping vehicle therefrom without first obtaining the permission of the owner or operator of the park.

[1959 c.562 §12; 1967 c.247 §11; 1969 c.533 §25]

446.145 Records to be maintained at parks. Whenever a mobile home or camping vehicle arrives at a mobile home park, the owner or operator of such park shall record the license numbers of the towing vehicle and of the mobile home or if a self-propelled camping vehicle, the camping vehicle only. Whenever a tenant arrives at a mobile home park, he shall register with the owner or operator of such park and shall provide his correct name, home address and the license numbers of his car and vehicle or, when it is self-propelled, the camping vehicle only. If the state wherein the tenant resides does not require the registration of his mobile home, or camping vehicle, the tenant shall provide the correct color, model and dimensions of his mobile home or camping vehicle. The owner or operator of the mobile home park shall keep these records for at least 18 months and make them available to health or police officers upon demand.

[1959 c.562 §7; 1967 c.247 §12; 1969 c.533 §26]

446.150 [1959 c.683 §32; amended by 1969 c.605 §54; repealed by 1969 c.533 §27 and by 1969 c.605 §61]

446.155 Sanitation and safety requirements for mobile homes. (1) No person may sell or offer for sale within this state a house trailer manufactured after January 1, 1962, that contains:

(a) Plumbing equipment, unless such equipment meets the requirements of the Department of Commerce.

(b) Heating equipment, unless such equipment meets the requirements of the State Fire Marshal.

(c) Electrical equipment, unless such equipment meets the requirements of the Department of Commerce.

(2) No person may rent, lease, sell or offer for rent, lease or sale within this state a trailer or recreational vehicle manufactured after September 1, 1969, unless it bears an insigne of compliance and contains:

(a) Plumbing equipment or installations that meet the minimum safety standards of the Department of Commerce.

(b) Heating, illuminating, cooking equipment or installations that meet the minimum safety standards of the Fire Marshal.

(c) Electrical equipment or installations that meet the minimum safety standards of the Department of Commerce.

[1961 c.567 §2; 1969 c.295 §3; 1971 c.753 §43]

446.160 Inspection; regulations. The Department of Commerce may cause such inspections to be made, approve plans and specifications, provide technical services, issue insigne of compliance, collect fees provided by ORS 446.175 and, in compliance with ORS chapter 183, promulgate and enforce such rules and regulations as are reasonably necessary to carry out its duties and insure compliance with ORS 446.155.

[1961 c.567 §§3, 4; 1969 c.295 §4; 1971 c.753 §44]

446.165 [1961 c.567 §5; amended by 1969 c.295 §5; renumbered 446.200]

446.170 Insigne of compliance required; when displayed. (1) Trailers and recreational vehicles subject to the provisions of ORS 446.155 to 446.200, and trailers and recreational vehicles upon which alterations of installations of plumbing, heating, illuminating, cooking or electrical equipment are made shall have affixed thereto an insigne of compliance.

(2) No person shall place an insigne of compliance on a trailer or recreational vehicle except as provided by ORS 446.155 to 446.200 and the rules and regulations promulgated thereunder.

[1969 c.295 §§7, 11]

446.175 Fees. The following fees shall be paid to and collected by the Department of Commerce:

(1) Plan filing fee: $5 for each set of plans and specifications.

(2) Group model fee: $5 for each designated production model in excess of one.

(3) Plumbing fee: $3 for each plumbing fixture.

(4) Electrical fee: $3 for each circuit.

(5) Heating fee: $4 for each fuel-burning heat-producing appliance, except for gas-fired illuminating appliances.

(6) Illuminating appliance, gas-fired: $1 for each gas-fired illuminating appliance.

(7) Plan renewal fee: $10 for each model or group model.

(8) Alteration or conversion permit fee: $2 each.

(9) Inspection fees: $11 for an inspection requiring one hour or less; $5.50 for every 30 minutes or fractional part thereof in excess of one hour.

(10) Field technical service fees: $11 for such service requiring one hour or less; $5.50 for every 30 minutes or fractional part thereof in excess of one hour.

(11) Alternate approval fees: $25 for each application.

(12) Mobile home structural design fee, $25.

(13) Insigne fees: Mobile home construction, $2; vehicles containing plumbing, heating or electrical equipment and installations, any one, $2; any two, $4; all three, $6. Replacement of insigne, $2 each insigne.

(14) Out-of-state travel fee: $40 for each model or group model inspected.

(15) Requested out-of-state inspection or field technical service fee: Total travel cost based on published air fare, or equivalent rate, between Portland, Oregon, and the point of inspection, plus necessary supplemental surface transportation, and reimbursement for food and lodging consistent with allowances established by the Executive Department for authorized travel by state employes.

(16) Change of manufacturer's name, ownership or address fee: $10 each change.

[1969 c.295 §6; 1971 c.753 §45]

446.180 Safety standards of other states. If the Director of Commerce determines that standards for the construction of mobile

homes and for plumbing, heating, illuminating, cooking and electrical equipment installed in mobile homes and recreational vehicles provided by the statutes or rules and regulations of other states are at least equal to the minimum safety standards prescribed under ORS 446.155 to 446.200, and that such statutes, rules and regulations are being enforced, he may provide by regulation that mobile homes or recreational vehicles approved by such other state shall be considered approved by the director.
[1969 c.295 §9; 1971 c.753 §46]

446.185 Minimum safety standards for equipment and installations. (1) In compliance with ORS chapter 183, regulations establishing minimum safety standards and requirements shall be adopted and enforced by the Department of Commerce, for plumbing equipment and installations, for heating, illuminating and cooking equipment or installations and for electrical equipment or installations in trailers and recreational vehicles.

(2) Minimum safety standards shall be reasonably consistent with nationally recognized standards for construction of mobile homes and plumbing, heating, illuminating, cooking and electrical equipment and installation in mobile homes, house trailers and recreational vehicles and shall be designed to protect the health and safety of the people of this state from dangers inherent in the use of substandard and unsafe plumbing, heating, illuminating, cooking and electrical equipment and installations.
[1969 c.295 §8; 1971 c.753 §47]

446.190 Power to enjoin violations. When it appears to an inspecting authority that any person is engaged or about to engage in an act or practice which is in violation of ORS 446.155 to 446.200 or the rules and regulations issued thereunder, the inspecting authority may, without bond, obtain an order from an appropriate circuit court enjoining such act or practice.
[1969 c.295 §10]

446.200 When noncompliance with city or county regulations authorized. (1) Any trailer or recreational vehicle that meets the requirements prescribed under ORS 446.002 to 446.200:

(a) Is not required to comply with any ordinances of a city or county prescribing requirements for plumbing, heating, illuminating, cooking and electrical equipment installed in trailers or recreational vehicles.

(b) Is required to comply with all state statutes and administrative rules regulating exterior plumbing and venting installations.

(2) A mobile home that is constructed in conformity with the minimum safety standards provided by ORS 446.185 and which bears an insigne of compliance is not required to comply with any additional regulations if it is thereafter placed upon a permanent foundation and affixed to real property.
[Formerly 446.165]

446.210 Limited maintenance electrician's license for work on mobile homes and recreational vehicles. (1) Upon payment of a fee required by ORS 479.840 the Department of Commerce shall issue a limited maintenance electrician's license to a person who has complied with ORS 479.510 to 479.850 and the rules issued thereunder, who passes a written examination administered by the Department of Commerce on basic electrical principles on repair and maintenance of electrical wiring and equipment used in a mobile home or recreational vehicle, and submits proof satisfactory to the Department of Commerce that he has had sufficient experience in the repair and maintenance of such electrical problems of the type and nature found in a mobile home or a recreational vehicle.

(2) A person licensed under this section and who has passed a written examination administered by the Department of Commerce shall be authorized to repair and maintain electrical wiring and equipment used in a mobile home or a recreational vehicle. No workman or applicant for a license under this section shall be deemed in violation of ORS 479.510 to 479.850 by reason of electrical repair and maintenance work performed during the period of required experience whenever required prior to September 1, 1969.
[1969 c.295 §12]

RECREATION PARKS AND ORGANIZATIONAL CAMPS

446.310 Definitions for ORS 446.310 to 446.350. As used in ORS 446.310 to 446.350, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Health Division.

(2) "Division" means the Health Division of the Department of Human Resources.

(3) "Camping vehicle" means either a vacation trailer or a self-propelled vehicle or structure equipped with wheels for highway use and which is intended for human occupancy and is being used for vacation and recreational purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet.

(4) "Health officer" means a local health officer appointed pursuant to ORS 431.418.

(5) "Organizational camp" includes any area designated by the person establishing, operating, managing or maintaining the same for recreational use by groups or organizations which include but are not limited to youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps, camps which are operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

(6) "Recreation park" means any area designated by the person establishing, operating, managing or maintaining the same for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes but is not limited to areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership and further includes, but it not limited to those areas divided into two or more lots, parcels, units or other interests for purposes of such use.
[1969 c.533 §2; 1973 c.560 §13]

446.315 Policy. It is the public policy of this state to encourage construction of recreation parks by public agencies and private industry to satisfy the demand for outdoor recreation while establishing standards for recreationists and landowners so that these parks are maintained in a safe and sanitary condition.
[1969 c.533 §1]

446.320 Certificate of sanitation required. (1) No person shall establish, operate, manage or maintain a recreation park or organizational camp without first securing a certificate of sanitation from the administrator.

(2) ORS 446.012 to 446.056 apply to the certificate of sanitation required by subsection (1) of this section. However, the administrator shall not deny, suspend or revoke the certificate required by subsection (1) of this section because the applicant or certificate holder has not complied with ORS 446.062 to 446.200.
[1969 c.533 §3; 1973 c.560 §14]

446.325 Certain parks exempt when approved. Public entities, timber companies and private utilities are exempt from the certification requirement of ORS 446.320, but shall not establish or operate a recreation park without complying with the rules of the division and securing the approval of the Administrator of the Health Division or his designee. The Administrator of the Health Division or his designee may delegate, to a health officer having sufficient sanitarians, the authority to approve such recreation parks.
[1969 c.533 §4]

446.330 Rules; enforcement. (1) In accordance with ORS 183.310 to 183.500, the division may promulgate any rules concerning the construction, operation and use of recreation parks and organizational camps that are necessary to protect the health and welfare of persons using these parks. The rules shall pertain but not be restricted to water supply, sewage disposal, drainage, plumbing, building construction and maintenance, lighting, ventilation, insect and rodent control, garbage disposal and the cleanliness of the premises.

(2) The division shall make such surveys as are necessary to assure uniform enforcement of ORS 446.310 to 446.350 throughout this state.
[1969 c.533 §5; 1973 c.560 §16)

446.335 Inspection of parks and camps; right of access. The administrator may inspect every recreation park and organizational camp to determine whether it conforms with ORS 446.310 to 446.350 and the rules adopted pursuant to ORS 446.310 to 446.350. A person operating such park shall permit the administrator access to all of the park at any reasonable time.
[1969 c.533 §6; 1973 c.560 §17]

446.340 Responsibility of owner or operator for sanitary conditions. (1) The owner or operator of a recreation park or organizational camp is responsible for the sanitary condition of the park grounds and buildings.

(2) If sanitary facilities are not provided in a recreation park or organizational camp for the safe disposal of sewage or other wastes from a camping vehicle, a notice shall be posted in a conspicuous place stating that camping vehicles are permitted overnight

only if the vehicle's waste holding tanks are used.

(3) Notwithstanding ORS 446.330, the division shall not require an owner or operator of a recreation park or organizational camp to provide both toilets and dumping stations.
[1969 c.533 §7; 1973 c.560 §18]

446.345 Prohibited acts. No person shall:

(1) Use kitchen or toilet facilities in a camping vehicle being operated on a highway or parked overnight at a place where sanitary facilities are not provided unless he makes provision whereby sewage and other waste materials can be held in watertight and sanitary containers of a type approved by the division.

(2) Empty a container described in subsection (1) of this section except into a public sewerage system, septic tank or cesspool of a type approved by the division. However, in isolated areas where space is not available in a recreation park or organizational camp and such facilities are not available, these containers may be emptied into the ground if all sewage and other waste materials are buried at least one foot below the surface of the ground.

(3) When using a recreation park or organizational camp, create an unsanitary condition or deposit putrescible or nonputrescible waste any place other than in appropriate containers designated for such purposes.
[1969 c.533 §8; 1973 c.560 §19]

446.350 Recreation Park Account. The Recreation Park Account is established in the General Fund of the State Treasury. All moneys received under ORS 446.310 to 446.350 by the administrator shall be credited to the Recreation Park Account. All moneys in the account are appropriated continuously to the division for the purpose of administering and enforcing ORS 446.310 to 446.350.
[1969 c.533 §9; 1973 c.560 §20]

MISCELLANEOUS

446.425 Contract with county to administer certain sanitation laws. (1) The Administrator of the Health Division shall contract with any county board of commissioners which requests such a contract for the purposes of carrying out any of the authority, responsibilities and functions of the Administrator of the Health Division under ORS 446.002, 446.006, 446.016, 446.046 to 446.056, 446.066, 446.076, 446.095, 446.105 to 446.115, 446.310, 446.320 and 446.330 to 446.990 if the administrator finds that the county employs, or will employ, sufficient qualified personnel to perform the functions which are the subject of the contract.

(2) If a fee is charged for performing any function which is the subject of a contract entered into under subsection (1) of this section, the Administrator of the Health Division may disburse all or part thereof to the county pursuant to the contract.
[1973 c.560 §21a]

446.510 [1959 c.314 §1; 1961 c.610 §16; repealed by 1973 c. 833 §48]

446.520 [1959 c.314 §2; 1971 c.588 §2; repealed by 1973 c.833 §48]

446.530 [1959 c.314 §3; 1971 c.588 §3; repealed by 1973 c.833 §48]

446.535 [1971 c.588 §13; repealed by 1973 c.833 §48]

446.540 [1959 c.314 §4; repealed by 1973 c.833 §48]

446.545 [1971 c.588 §9; repealed by 1973 c.833 §48]

446.550 [1959 c.314 §5; repealed by 1973 c.833 §48]

446.560 [1959 c.314 §6; repealed by 1973 c.833 §48]

446.570 [1959 c.314 §7; 1971 c.588 §5; repealed by 1973 c.833 §48]

446.575 [1971 c.588 §§11, 12, 14; repealed by 1973 c.833 §48]

446.580 [1959 c.314 §8; repealed by 1973 c.833 §48]

446.590 [1959 c.314 §9; repealed by 1973 c.833 §48]

446.600 [1959 c.314 §10; 1971 c.588 §5a; 1971 c.650 §23; repealed by 1973 c.833 §48]

446.610 [1959 c.314 §§11, 12, 13, 14; 1971 c.734 §64; repealed by 1973 c.833 §48]

446.615 [1971 c.588 §15; repealed by 1973 c.833 §48]

446.620 [1959 c.314 §15; 1963 c.170 §1; 1971 c.588 §5b; repealed by 1973 c.833 §48]

446.630 [1959 c.314 §16; repealed by 1973 c.833 §48]

446.635 [1967 c.598 §2; 1971 c.588 §6; repealed by 1973 c.833 §48]

446.640 [1959 c.314 §17; repealed by 1973 c.833 §48]

446.650 [1959 c.314 §18; repealed by 1973 c.833 §48]

446.655 [1971 c.588 §8; repealed by 1973 c.833 §48]

446.660 [1959 c.314 §19; repealed by 1973 c.833 §48]

PENALTIES

446.990 Penalties. Violation of ORS 446.345 is punishable upon conviction as a Class B misdemeanor.

[Amended by 1953 c.490 §21; subsection (1) enacted as 1953 c.490 §18; 1959 c.562 §15; subsection (3) enacted as 1959 c.683 §33; subsections (4) and (5) enacted as 1959 c.314 §20; 1967 c.598 §3; subsection (6) enacted as 1969 c.533 §10; 1973 c.560 §21; 1973 c.833 §39; 1974 s.s. c.36 §13]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on June 1, 1974.

Thomas G. Clifford
Legislative Counsel