
HOUSE BILL 2173

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Leonard, Ogden, Nelson and Rasmussen.

Read first time March 5, 1991. Referred to Committee on Housing.

1 AN ACT Relating to mobile homes; amending RCW 59.20.190; adding a
2 new chapter to Title 59 RCW; recodifying RCW 59.20.190; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The purpose of this chapter is to help
6 assure that mobile home parks meet minimum health and sanitation
7 requirements for the protection of the mobile home tenants. It is the
8 intent of the legislature that mobile home parks be inspected on a
9 regular basis to ensure that minimum health and safety standards are
10 met.

11 NEW SECTION. **Sec. 2.** Unless the context clearly requires
12 otherwise, the definitions in this section apply throughout this
13 chapter.

1 (1) "Authorized health department" means any city, county, or city-
2 county health department or health district authorized by the secretary
3 of health to carry out the provisions of this chapter.

4 (2) "Department" means the department of health.

5 (3) "Mobile home park" has the same meaning as found in RCW
6 59.21.010(5).

7 (4) "Secretary" means the secretary of health.

8 NEW SECTION. **Sec. 3.** Where it is determined by the secretary
9 together with the jurisdictional health officer, that a city, county,
10 city-county health department or health district is qualified to carry
11 out the provisions of this chapter, the secretary shall authorize such
12 political subdivision or agency to administer and enforce this chapter,
13 and the rules adopted under this chapter.

14 Any such authorization may be withdrawn by the secretary after
15 thirty days' notice in writing to the authorized department should the
16 secretary determine that the authorized department is unwilling or
17 unable to carry out the duties and responsibilities under this chapter.

18 NEW SECTION. **Sec. 4.** A person shall not operate or maintain
19 a mobile home park within this state without a license.

20 NEW SECTION. **Sec. 5.** An application for a license shall be
21 made to the department of health or authorized health department upon
22 forms provided by either of the departments. The forms shall contain
23 such information as the department reasonably requires, which shall
24 include affirmative evidence of ability to comply with such rules as
25 are adopted by the state board of health.

1 Each license shall be issued only for the premises and the persons
2 named in the application. A license may not be transferable or
3 assignable without the consent of the department. Licenses shall be
4 posted in a conspicuous place in the mobile home park.

5 NEW SECTION. **Sec. 7.** The department or authorized health
6 department jointly, may deny, suspend, or revoke a license in any case
7 in which it finds there has been a failure or refusal to comply with
8 the requirements established under this chapter or the rules adopted
9 under this chapter. The department shall adopt rules to govern notice
10 of a license denial, revocation, suspension, or modification and
11 provide the right to an adjudicative proceeding under chapter 34.05
12 RCW.

13 **Sec. 8.** RCW 59.20.190 and 1988 c 126 s 1 are each amended to read
14 as follows:

15 The state board of health shall adopt rules (~~on or before January~~
16 ~~1, 1982,~~) setting health and sanitation standards for mobile home
17 parks. Such rules shall be enforced by the city, county, city-county,
18 or district health officer of the jurisdiction in which the mobile home
19 park is located, upon notice of a violation to such health officer.
20 Failure to remedy the violation after enforcement efforts are made may
21 result in a fine being imposed on the park owner, or tenant as may be
22 applicable, by the enforcing governmental body of up to one hundred
23 dollars per day, depending on the degree of risk of injury or illness
24 to persons in or around the park.

25 NEW SECTION. **Sec. 9.** The local health officer of the
26 jurisdiction in which a mobile home park is located shall inspect the
27 mobile home park at least once every three years. Following such

1 inspection, written notice of any violations shall be given the
2 applicant or licensee and the department of health.

3 NEW SECTION. **Sec. 10.** (1) Any person operating or maintaining
4 a mobile home park without a license under this chapter shall be guilty
5 of a misdemeanor.

6 (2) The department or authorized health department may require any
7 person who operates or maintains a mobile home park without a license
8 to pay up to double the amount of the license fee when a license is
9 subsequently obtained.

10 (3) Notwithstanding the existence or use of any other remedy, the
11 department or authorized health department may, in the manner provided
12 by law, maintain an action in the name of the state for an injunction
13 or other process against any person to restrain or prevent the
14 operation or maintenance of a mobile home park without a license under
15 this chapter.

16 NEW SECTION. **Sec. 11.** The department of health shall adopt
17 rules by January 1, 1992, for the licensing of mobile home parks. All
18 mobile home parks shall be licensed by December 31, 1992.

19 NEW SECTION. **Sec. 12.** RCW 59.20.190 as amended by this act is
20 recodified as a section in chapter 59.-- RCW (sections 1 through 7 and
21 9 through 11 of this act).

22 NEW SECTION. **Sec. 13.** Sections 1 through 7 and 9 through 11 of
23 this act shall constitute a new chapter in Title 59 RCW.

24 NEW SECTION. **Sec. 14.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.