

**MANUFACTURED (MODULAR) BUILDINGS PROGRAM
CODES & STANDARDS OFFICE
DEPARTMENT OF COMMUNITY AFFAIRS (DCA)
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IMPORTANT: The term “manufactured” buildings used in this document refers to “modular” buildings built to the Florida Building Code (FBC), as provided for in Ch 553, Part I, Florida Statutes (FS). Modular buildings are different from “manufactured housing/mobile homes” built to the Federal Housing and Urban Development (HUD) standards, which come under the jurisdiction of the Department of Highway Safety & Motor Vehicles (DHSMV). Contact DHSMV at 850-617-2808.

Q & A

As of: January, 2008

I. NEWLY MANUFACTURED (MODULAR) BUILDINGS:

1. What type of building is governed by the Department of Community Affairs (DCA) under the Manufactured Buildings Program, as provided for in chapter 553, Part I, FS?

Answer: As defined in Rule 9B-1, Florida Administrative Code (FAC), a “closed construction” structure, building assembly or system of subassemblies,manufactured for installation or erection..... as a finished building or as part of a finished building.....”. “Closed construction is defined as a building, component, assembly, etc.....manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof”. This includes residential, commercial, storage sheds, portable classrooms, guard shacks, communication buildings, kiosks, gazebos, ice vending buildings and ATMs (if occupiable).

NOTE: Mobile X-Ray/MRI Units, bathrooms, cafeterias, etc. that are mounted on a trailer do not come under the jurisdiction of the FBC or DCA because they are not considered a building.

2. Are manufactured buildings bearing a DCA insignia required to comply with the Florida Building Code (FBC)?

Answer: Yes. Manufactured (modular) buildings constructed on or after March 1, 2002, are required to comply with all technical and applicable administrative sections of the 2001 FBC and all subsequent revisions and supplements in effect at the time of construction. Buildings built prior to March 01, 2002, must comply with the applicable code in effect at the time of construction or renovation. All site related work (erection, assembly and construction at the site, plus all foundation, utility connection, etc,) are subject to local permitting and inspections. (Chapter 1, FBC & Ch 533.80(1)(d) FS). Exception: Construction Trailers and Temporary Offices do not have to comply with the FBC—(see # 13 below).

3. Do manufactured buildings bearing the DCA Insignia require a plan review and approval by a local building department?

Answer. No. Exception 1 of Section 106.3, FBC and ch 553.80(1)(d) FS exempts state approved manufactured (modular) buildings from a plan review at the local level, except for provisions of the code relating to erection, assembly or construction at the site. A copy of the building plans, which includes the Third Party Agency Stamp, must be submitted with the building permit application. These plans are not required to have an original signature and raised seal. Under the jurisdiction of the local building department, a building permit application will usually require a set of raised seal foundation plans for the installation of a modular building (also see # 11 & 12 below).

4. Are additional inspections of a manufactured (modular) building required by the local building department?

Answer. No. Section 553.37(5) F.S. states: Manufactured buildings which have been issued and bear the insignia of approval upon manufacture or first sale shall not require an additional approval or insignia by a local government in which they are subsequently sold or installed. However, s. 553.80 (1)(d) FS states that “Erection, assembly and construction at the site are subject to local permitting and inspections”. In other words, local code enforcement personnel are responsible for inspection of the joinery of the modules, assembly /construction of a hinged roof, etc., as well as all other site related issues like foundations and utility hook-ups.

5. Can a manufactured (modular) building be treated any differently than a conventionally constructed (site built) building?

Answer. No. Section 553.38 FS, states: “The department shall enforce every provision of the Florida Building Code adopted pursuant hereto, Such local requirements and rules which may be enacted by local authorities must be reasonable and uniformly applied and enforced without any distinction as to whether a building is a conventionally constructed or manufactured building.” “A local government shall require permit fees only for those inspections actually performed by the local government for the installation of a factory built structure. Such fee shall be equal to the amount charged for similar inspections on conventionally built housing”. However, this does not supersede any recorded deed restrictions contained in the covenants of a homeowners’ association.

6. Can a newly manufactured (modular) building be installed anywhere in Florida?

Answer. Yes, provided it bears the DCA insignia and meets the provisions of #5 above.

7. Can a new factory built public school building be constructed of Type III-B or V-B (combustible) materials?

Answer. No. Section 423.27.3 FBC , states: “All new portables (relocatables) constructed, purchased or otherwise acquired by a board shall be noncombustible Type I, II or IV construction.”

8. Can a factory built private school building be constructed of Type V-B (combustible) materials?

Answer. Yes, provided it does not exceed the limits of Table 503 of the 2004 FBC.

9. Do the High Velocity Hurricane Zone (HVHZ) requirements in the FBC apply to a manufactured (modular) building bearing a DCA insignia?

Answer. Yes, if the building was constructed after March 01, 2002, and if it is intended for sale/installation in Broward or Miami-Dade Counties. Plans should reflect whether or not approved for HVHZ installation.

10. Do windborne debris requirements apply to modular buildings?

Answer. Yes, except where specifically exempt, as in storage sheds of 720 square feet or less in size.

11. Can a modular residence be installed on a foundation of pads, dry stacked blocks and tie-downs?

Answer. This is a site related issue, subject to code interpretation and enforcement by the local building official as to whether engineered foundation plans that call for this type of construction comply with the FBC. Chapter 428.4, FBC states: "*If the plans are for a residential manufactured (modular) building, certification from the design professional responsible for the plans that the structure has been designed only for erection or installation on a site built permanent foundation and is not designed to be moved once so erected*".

NOTE: The installation of a modular home on this type foundation may preclude the classification of the residence as “real property” by the local property appraiser’s office and trigger higher insurance rates that typically apply to HUD type homes, often classified as “personal property”—check with your local property appraiser and insurance provider.

12. Who can install a modular residence?

Answer: Chapter 489 FS requires that a Florida licensed contractor install a modular residence, i.e., it is a violation of this statute for a mobile home set crew to install a modular residence, even if the owner pulls the permit.

NOTE: Per the Department of Business & Professional Regulation (DBPR) Unlicensed Activities, it is a violation of ch 489 FS for dealers to include in their sales agreement provisions for the installation of a modular residence, unless they are a Florida licensed contractor. In effect, dealers cannot subcontract the installation of a modular residence, unless they hold a contractor’s license.

13. Do Construction Trailers and Temporary Offices have to meet the Florida Building Code (FBC)?

Answer: No, Ch 553.73(9)(d) & (e), FS exempts these type buildings from compliance with the FBC. DCA07 DEC-146 was issued to address this situation, and essentially concluded that both the building and installation are exempted from code compliance. This is a site-related issue under the jurisdiction of the local building department.

NOTE: Temporary Offices must comply with the Florida Accessibility requirements. Construction trailers and temporary offices will not [normally] contain a DCA Insignia.

14. Do storage sheds have to comply with the FBC?

Answer: Yes, storage sheds must comply with the FBC (including local wind design requirements), and bear a DCA insignia, but are exempt from Florida Product Approval and windborne debris requirements (720 sq.ft or less).

NOTE: Ground Fault Circuit Interrupter (GFCI) protection must be supplied by the manufacturer if wired for electrical outlets.

NOTE: “Snap-together” shed kits available from large home improvement centers may not comply with the FBC, but come under the local building department’s jurisdiction for permitting and inspection.

NOTE: Sheds bearing a DCA Insignia that do not exceed 400 sq. ft. may be installed without a contractor’s or specialty license.

NOTE: The requirements for Building Permits for sheds vary by jurisdiction—check with your local building department.

II. EXISTING MANUFACTURED (MODULAR) BUILDINGS:

1. How does a local government permit an existing manufactured (modular) building which is being moved to a new jurisdiction, without a copy of the plans and an existing DCA insignia?

Answer. If the original approved plans are not available, the following options exist:

- 1) The owner may request a copy of the plans from the manufacturer or Third Party Agency;**
- 2) The owner may obtain a copy of the plans from the Department’s electronic files, if available online;**
- 3) An “as built” set of plans may be prepared, signed and sealed by a Florida registered engineer or architect, and a Certificate of Occupancy issued by the local building official, in lieu of a DCA insignia.**

2. Does a manufactured building produced under the old Standard Building Code (SBC) have to be upgraded to the new requirements of the Florida Building Code (FBC)?

Answer. No, unless it is altered or has a change in occupancy.

3. If an existing manufactured (modular) building is moved to a new location. What conditions apply?

Answer. The relocated building shall comply with wind speed requirement of the new location (Also, see answer to question 6 above). If the existing building was manufactured in compliance with the Standard Building Code (SBC), the SBC wind speed map shall be applicable. If the existing building was manufactured in compliance with the FBC, the FBC wind speed map shall be applicable.

4. Can an existing modular building be modified or renovated?

Answer. Yes. Onsite modifications to existing modular buildings must be permitted and inspected by the jurisdiction having authority (local building department). That authority may be delegated to the DCA in writing on a case-by-case basis. Original plans (or “As-built” plans) and any modifications must be provided to the inspecting agency. If inspected by the local building official, the DCA Insignia should be removed and returned to DCA, and a Certificate of Occupancy be issued in lieu of the DCA Insignia. Recertification by the local jurisdiction is only applicable for that jurisdiction (not statewide).

5. Can an existing modular building be converted from one occupancy type to another?

Answer. Yes, but the building must be brought into compliance with the current FBC, which may be cost prohibitive. The local jurisdiction has superseding authority over any onsite modifications or it may be delegated as stated in #4 above.

6. How do I know if a manufactured (modular) building is DCA approved?

Answer. All DCA approved buildings must bear the DCA (State) Insignia affixed to the inside cover of the electric panel or inside the building for those with no electrical panels. The insignia will have printed: State of Florida Seal, the Department of Community Affairs, Occupancy, and a MB number, unique to

that occupancy type. The manufacturer shall affix a data plate containing: manufacturer's name, date of manufacture, serial number, occupancy, construction type, wind velocity, floor load, etc., to the electrical panel or inside the storage shed.

7. What is the purpose of the "Certification Letter"?

Answer. The Certification Letter attests to the currency (active or inactive status) of the manufacturer only. It does not attest to the currency of the constructions plans or compliance of the building with the latest version of the FBC. In cases where manufacturers who have closed their businesses; have been purchased and/or changed names; and no copies of the Certification Letter still exist, validation that the manufacturer was once certified can be obtained by performing an "Organizational Search" on the Manufactured (Modular) Buildings website.

8. How do public schools obtain a DCA insignia for an existing portable classroom?

Answer: The school may apply online for the insignia once the plans are posted on the Building Code Information System (BCIS). "As-built" plans may be used in cases where no original plans are available. DOE required site inspections are the responsibility of the school, and have no bearing on the ordering or affixing of the DCA Insignia. Students may be housed in an existing portable classroom without a DCA Insignia, providing that the building is in the school's Five Year Plan (sunsets Feb, 2008), approved by the Commissioner of Education.

III. OBTAINING MANUFACTURED (MODULAR) BUILDING INFORMATION ON WEB SITE:

1. How do I view issued insignias and electronically transmitted plans?

Answer. Follow these steps: Go to: www.floridabuilding.org, Click on the Manufactured Building icon, Click on either "Insignias" or "Plans", as applicable.

TO VIEW INSIGNIAS:

Click on "INSIGNIAS" tab at top of page; Click on Insignia; See message advising that "you are about view pages over a secure connection". Click OK. Click on the drop down title "Insignia Status" and choose option "Issued". Note: To narrow your search you may choose a manufacturer and/or any other pertinent Information, e.g. Florida Insignia Number.

The Insignia Number and/or Serial Number are the most pertinent pieces of information. Click on search. Records will be displayed for which an insignia has been issued, in a matrix which provides Insignia Tracking Number, Plan Tracking Number (number needed when searching for approved planes), Agency Plan Number, etc. Click on Insignia Tracking Number to view the insignia detail page. This page provides all information relative to the issuance of the insignia.

FOR MORE ANSWERS, PLEASE CONTACT US.