

CHAPTER 3.20

PLACEMENT OF MANUFACTURED HOMES/FACTORY ASSEMBLED STRUCTURES (FAS)

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3.20.010 APPLICABILITY. This chapter shall apply to all new placements of manufactured homes/FAS used for dwelling or sleeping purposes. Manufactured homes/FAS located on established sites on April 25, 1983 which complied with existing regulations at the time they were so located shall not be required to meet the requirements of this chapter until such time they are relocated to another site. [Ord. 166 (1983) § 2; Ord. 252 (1994) § 1; Ord. 456 (2007) § 1]

3.20.020 PURPOSE. This chapter is adopted for the purpose of protecting the public health, safety and general welfare.
[Ord. 166 (1983) ■ 3]

3.20.030 DEFINITIONS. Whenever the words and phrases in this section appear in this chapter, they shall be given the meanings attributed them by this section. When not inconsistent with the context words used in the present tense shall include the future, singular shall include the plural, and the plural, singular.

(a) "Building Official" means the Benton County Planning and Building Department Director or his authorized representative.

(b) "Department of Housing and Urban Development (H.U.D.) Standards" means The National Mobile Home and Construction Safety Standards Act of 1974, and rules and regulations adopted thereunder as currently enacted or hereafter amended, including (1) regulations and interpretations of the State of Washington Department of Labor and Industries, adopted pursuant to regulations of said department; and, (2) information supplied by the manufacturer of the manufactured home/FAS, which has been stamped approved by the Department of Housing and Urban Development pursuant to regulations of said department.

(c) "Factory Assembled Structure (FAS)" means structures which are of closed construction, which are made or assembled in manufacturing facilities off the building site. These are equipped with the necessary service connections for the hook up of required utilities, which include plumbing, heating, air conditioning and electrical installations contained therein, which may or may not require a permanent foundation as per manufacturer's instruction (i.e. mobile homes, manufactured homes, modular structures). This excludes recreational vehicles and park trailers.

FAS which do not meet the HUD Manufactured Housing Standards will be required to meet HUD Alteration, Fire & Safety Standards and be certified as such by the State of Washington.

Factory assembled structures, including modular structures/manufactured homes (gold insignia), that meet the International Residential Code and that are permanently affixed to a footing or foundation, shall be considered the same as a site built single family residential dwelling and are permitted outright wherever single family residences may be located.

(d) "Factory Assembled Commercial Structure" means a factory assembled structure (FAS) designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes.

(e) "Health Officer" means the city, county, city-county or district health officer of the jurisdictional area in which the manufactured home/FAS is or will be located, or his authorized representative or successor.

(f) "Lot of Record" means a parcel of land used or which is capable of being used under the regulations of this chapter, lawfully created as such in accordance with the subdivision laws or ordinances in effect at the time of its creation.

(g) "Manufactured Home" includes mobile home. A manufactured, relocatable living unit which, when erected on site, is designed to be connected to required utilities and used as a dwelling, exceeds forty (40) feet in length or eight (8) feet in width, does not meet International Residential Code standards; and, if manufactured after June 15, 1976, bears the insignia of the U. S. Department of Housing and Urban Development.

(h) "Manufactured Home/FAS Park" includes mobile home park. A site, lot or tract of land under the common ownership or management of one or more persons, firms or corporations, intended for occupancy by five (5) or more manufactured homes/FAS for dwelling or sleeping purposes. This definition shall not include parks for the location of recreational vehicles for travel or recreation.

(i) "Manufactured Home/FAS Installation Inspector" means a designated representative of the Benton County Planning and Building Department, whose qualifications are determined by the Benton County Planning and Building Department Director.

(j) "Manufactured Home/FAS Space" includes mobile home space. A space within a manufactured home/FAS park having fixed boundaries which are clearly marked and designated to accommodate one (1) manufactured home/FAS. Shall include any space regardless of size within a manufactured home/FAS park which is a nonconforming use.

(k) "Non-conforming Use" means a manufactured home/FAS placed and maintained upon a lot prior to the effective date of this chapter which complied with applicable adopted regulations when installed. Also a manufactured home/FAS park approved under the laws and

regulations in effect on the date it was begun, which has been in continuous operation since the date of its approval.

(l) "Permanent Foundation" means a foundation constructed of masonry or concrete or other properly engineered design, which meets minimum International Residential Code Standards or Department of Housing and Urban Development standards for which the manufactured homes/FAS insignia plate designates.

(m) "Person" means an individual, firm, corporation, partnership or association, and any agency of state, county or municipal government, and any agency of the federal government which is subject to the jurisdiction of the state.

(n) "Recreational Vehicle" means a vehicle or structure designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, which has a body width of no more than eight (8) feet or a body length of no more than forty (40) feet; or, any structure inspected, approved and designated a recreational vehicle by and bearing the insignia of the State of Washington or any other state or federal agency having the authority to approve recreational vehicles.

(o) "Skirting" means material not adversely affected by the elements, which is securely anchored by an approved method to a manufactured home/FAS and covers the entire perimeter of the manufactured home/FAS, except space required for crawl-hole access, between the bottom-most point of the permanent exterior walls of the manufactured home/FAS and the surrounding grade level.
[Ord. 166 (1983) § 4; Ord. 197 (1986) § 1; Ord. 252 (1994) § 2; Ord. 453 (2007) § 1; Ord. 456 (2007) § 2]

**3.20.040 MANUFACTURED HOME/FACTORY ASSEMBLED STRUCTURE--
INSTALLATION PERMIT REQUIRED.** No manufactured home/FAS shall be located on a space or lot until an Installation Permit has been obtained from the Benton County Planning and Building Department. No person shall deliver a manufactured home/FAS until he has verified that the owner or installer has obtained an Installation Permit for the location of the manufactured home/FAS.

The Benton County Planning and Building Department shall issue an Installation Permit after BCC 3.20.050 and BCC 3.20.060 of this chapter have been satisfied and approved by the Benton County Planning and Building Department and after it has determined the location of the manufactured home/FAS complies with BCC 3.20.110 of this chapter. The Benton County Planning and Building Department

shall have the power to place conditions on the Installation Permit as necessary to satisfy the requirements of this chapter.
 [Ord. 166 (1983) § 5; Ord. 197 (1986) § 2; Ord. 252 (1994) § 3; Ord. 456 (2007) § 3]

3.20.045 INSTALLATION PERMIT--PERMIT FEES--REAPPLICATION FEES--PERMIT EXPIRATION. An installation permit issued as provided in BCC 3.20.040 shall:

(a) be valid for a period of one (1) year from the date of issuance and shall be issued for the location of the specific manufactured home/FAS on the specific lot or space. Location of a different manufactured home/FAS in the same location or of the same manufactured home/FAS in a different location shall require a new Installation Permit;

(b) contain the condition that the applicant comply with all requirements of the permit or the approval from the agency(s) approving the water and sewer, and may contain such other conditions as the Manufactured Home/FAS Installation Inspector deems necessary for compliance with the provisions of this chapter;

(c) be displayed in a conspicuous place on the exterior of the manufactured home/FAS near the front entrance thereof until the final inspection and approval is obtained under BCC 3.20.130; and,

(d) require reapplication for failure to meet the conditions of the Installation Permit within the one (1) year period. Such reapplication shall be valid for a period of six (6) months from the earlier of the date of issuance of the reapplication permit or the expiration of the initial installation permit and shall be accompanied by a non-refundable fee as set by resolution of the Board of County Commissioners of Benton County. Only one (1) reapplication of the original installation permit shall be allowed. Upon expiration of a reapplication permit, a complete new installation permit shall be required.

[Ord. 166 (1983) § 5; Ord. 197 (1986) § 2; Ord. 252 (1994) § 3; Ord. 307 (1997) § 1; Ord. 456 (2007) § 4]

3.20.050 INSTALLATION PERMIT--APPLICATION. An application for an installation permit must be submitted by the owner or installer which provides the following information:

(a) The name, address and telephone number of the manufactured home/FAS owner.

(b) The manufacturer and seller of the manufactured home/FAS to be installed.

[**NOTE:** This section is continued on the following page.]

(c) The manufacturer's serial number, if known, of the manufactured home/FAS.

(d) The name, address and telephone number of the installer and the installer's manufactured home/FAS dealer license number or contractor registration number.

(e) The address or location of the proposed building site.

(f) A plot plan showing the location and dimensions of the manufactured home/FAS and the lot the manufactured home/FAS is to be placed upon, and the locations of existing dwellings, structures or improvements on the property if placed elsewhere than within a manufactured home/FAS park.

(g) A copy of the approved road encroachment permit for access onto a city, county or state road if the manufactured home/FAS is to be placed elsewhere than within a manufactured home/FAS park licensed under Chapter 3.22 BCC.

(h) A copy of the current recorded document of title to the property, if the manufactured home/FAS is to be placed other than within a manufactured home/FAS park licensed under Chapter 3.22 BCC or a manufactured home/FAS park which is a non-conforming use.

(i) A description of the drainage and preparation of the site, if the manufactured home/FAS is to be placed other than within a manufactured home/FAS park licensed under Chapter 3.22 BCC or a manufactured home/FAS park which is a non-conforming use.
[Ord. 166 (1983) § 6; Ord. 252 (1994) § 4]

3.20.060 INSTALLATION PERMIT--PERMIT FEE. A fee for an installation permit for a single-wide manufactured home/FAS and/or for a double-wide or wider manufactured home/FAS, as established by resolution of the Board of County Commissioners, must be paid by the applicant at the time of submission of the application.
[Ord. 166 (1983) § 7; Ord. 244 (1993) § 1; Ord. 252 (1994) § 5; Ord. 456 (2007) § 5]

[**NOTE:** This chapter is continued on the following page.]

3.20.065 INVESTIGATION FEES—MANUFACTURED HOMES/FACTORY ASSEMBLED STRUCTURES—PLACEMENT WITHOUT A PERMIT. Whenever any manufactured home/FAS for which an installation permit is required by this chapter has been placed without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the minimum fee set forth in BCC 3.20.060. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter nor from any penalty prescribed by law or this chapter.

[Ord. 355 (1999) § 1; Ord. 456 (2007) § 6]

3.20.070 MANUFACTURED HOME/FACTORY ASSEMBLED STRUCTURE--INSTALLATION PERMIT REQUIRED PRIOR TO OCCUPANCY. No manufactured home/FAS shall be occupied until an FAS Installation Permit has been issued and authorization for occupancy is granted under BCC 3.20.120 by the Benton County Planning and Building Department.

[Ord. 166 (1983) § 8; Ord. 252 (1994) § 6; Ord. 456 (2007) § 7]

[**NOTE:** This chapter is continued on the following page.]

3.20.080 INSTALLATION--INITIAL INSPECTIONS. All manufactured homes/FAS shall be installed in compliance with subparts F and I of 24 C.F.R. Part 3282.

In addition, a H.U.D. labeled manufactured home/FAS shall be installed in compliance with the manufactured home/FAS manufacturer's installation recommendations approved by H.U.D.. The manufacturer shall send two (2) copies of its approved installation recommendations to the purchaser of the manufactured home/FAS. The copies shall be in the home and available at the time of inspection. A manufactured home/FAS not labeled by H.U.D. shall be installed in accordance with the installation recommendations provided by a professional engineer or architect licensed in Washington.

The applicant or installer shall request a footing/setback inspection by the Manufactured Home/FAS Installation Inspector prior to placement of the manufactured home/FAS on the site. Such inspection shall determine compliance with standards (a) and (b) of BCC 3.20.090 or any alternative standards recommended by the manufacturer, an engineer or architect.

After approval of the footing/setback inspection, placement of the manufactured home/FAS and all other necessary installation except for skirting and steps, the applicant or installer shall request a setup/occupancy inspection. Such inspection shall determine compliance with standards (c) through (i) of BCC 3.20.090 or any alternative standards recommended by the manufacturer, an engineer or architect.

[Ord. 166 (1983) § 9; Ord. 252 (1994) § 7; Ord. 456 (2007) § 8]

[**NOTE:** This chapter is continued on the following page.]

3.20.090 INSTALLATION--GENERAL STANDARDS. Installation of the manufactured home/FAS shall meet the following standard requirements:

(a) The ground at the site shall have adequate compaction and load bearing ability to meet the support requirements of WAC 296-150B-230. The installer, or if the building site is in a manufactured home/FAS park, the park owner must ensure that the ground on which the manufactured home/FAS is to be installed has been improved as necessary to provide a proper base for the manufactured home/FAS, and that the area beneath the manufactured home/FAS has adequate drainage at the time of placement of the manufactured home/FAS.

(b) The manufactured home/FAS shall be placed on:

(1) Solid concrete or an approved alternate that is at least three and one-half (3 **2**) inches thick by sixteen (16) inches square; or,

(2) two, eight (8) inch by sixteen (16) inch by four (4) inch solid concrete blocks that are laid with their joints parallel to the main frame longitudinal member.

(c) If a manufactured home/FAS requires footings on its exterior perimeter, the footings shall be installed below the frost line. Footings for the main frame longitudinal members must be recessed only if frost heave is likely to occur.

Footings shall be constructed so that seventy-five (75) percent of the area under the manufactured home/FAS has at least eighteen (18) inches clearance between the bottom of the main chassis members and the ground level. The area beneath furnace cross-overs and fireplaces must always have at least eighteen (18) inches clearance. At no point under the manufactured home/FAS may the clearance be less than twelve (12) inches.

Footings shall be:

- (1) Evenly bedded and leveled;
- (2) placed on firm, undisturbed or compacted soil that is free of organic material;
- (3) centered in a line directly under the main frame longitudinal members on both sides of the manufactured home/FAS; and
- (4) spaced not more than eight (8) feet apart and not more than two (2) feet from the ends of the main frame. Closer spacing may be required, depending on the load bearing capacity of the soil.

(d) A manufactured home/FAS with more than one section must have centerline blocking at end walls and at any other point of connection of the sections of the manufactured home/FAS that are a ridgebeam bearing support. Blocking is also required at both ends of a door opening that is six (6) feet or more in an exterior wall.

(e) An installer must build and position piers and load bearing supports or devices to distribute the required loads evenly. An installer may use manufactured piers or load bearing supports or devices that are listed or approved for the intended use, or may build piers that comply with the following requirements. All blocks must be concrete blocks.

- (1) A pier may be made of a single stack of eight (8) inch by eight (8) inch by sixteen (16) inch blocks, if the blocks are not stacked more than three (3) blocks high. A pier made of a single stack of blocks shall be installed at a right angle to the main frame longitudinal member and shall be capped with no more than two, two (2) inch by eight (8) inch by sixteen (16) inch wood blocks or one, four (4) inch by eight (8) inch by sixteen (16) inch concrete block.

[NOTE: This section is continued on the following page.]

(2) A pier may be made of a double stack of eight (8) inch by eight (8) inch by sixteen (16) inch blocks if the blocks are not stacked more than five (5) blocks high. Each row of blocks in such a pier shall be stacked at right angles to the abutting rows of blocks. A wood block must be of hem-fir, douglas fir, or spruce pine fir. The pier shall be capped with two (2) inch by eight (8) inch by sixteen (16) inch wood or concrete blocks. The pier shall be installed so that the joint between the cap blocks is at right angles to the main frame longitudinal member.

(3) A pier may be made with more than five rows of blocks if the stacked blocks are filled with 2,000 psi concrete or mortar. A licensed architect or professional engineer must approve a foundation system that includes a pier that is higher than seventy-two (72) inches (nine blocks high) or in which more than twenty (20) percent of the piers exceed forty (40) inches (five blocks high).

(4) All blocks shall be set with the cores placed vertically.

(f) An installer may fill a gap between the top of a pier and the main frame with a wood plate that is not more than two (2) inches thick and two (2) opposing wedge-shaped shims that are not more than two (2) inches thick. Wood plates and shims must be of hem-fir, douglas fir or spruce pine fir. A shim shall be at least four (4) inches wide and six (6) inches long. The installer shall fit the shim properly and drive it tight between the wood plate or pier and the main frame to ensure that the manufactured home/FAS is level and properly supported at all load-bearing points. A block that abuts the wedge-shaped shim shall be solid.

[**NOTE:** This section is continued on the following page.]

(g) Anchoring systems shall be installed on all newly located or relocated manufactured home/FAS as required by WAC 296-150-M-0610(1)(c) & (2)(c). Such installations shall meet such requirements by using one of the methods which follow.

(1) New manufactured home/FAS shall be anchored by one of the following alternatives:

(i) per the manufacturer's installation instructions, or

(ii) per the design of a professional engineer licensed in Washington, or

(iii) per the design of a professional architect licensed in Washington.

(2) Relocated manufactured home/FAS shall be anchored per the manufacturer's installation instructions. In the event the manufacturer's instructions are not available, the relocated manufactured home/FAS may be anchored by one of the following alternatives:

(i) per ANSI A225.1 Manufactured Home Installation instructions, 1994 edition, or

(ii) per the design of a professional engineer licensed in Washington, or

(iii) per the design of a professional architect licensed in Washington.

(h) Water and sewer lines shall be installed in compliance with the Uniform Plumbing Code, International Mechanical Code, and International Fire Code.

(i) The water pipe connection to the manufactured home/FAS shall have a main shutoff valve in compliance with 24 CFR 3280.609(b). [Ord. 166 (1983) § 10; Ord. 252 (1994) § 8; Ord. 309 (1997) § 1; Ord. 453 (2007) § 2; Ord. 456 (2007) § 9]

3.20.100 WATER AND SEWER. The provision of water and sewer shall meet the requirements of the applicable local or state agency of jurisdiction (i.e., the Washington State Department of Social and Health Services, the Department of Ecology, Benton-Franklin District Health Department, or municipality) for water and sewer. [Ord. 166 (1983) § 11]

3.20.110 PLACEMENT SITE. The manufactured home/FAS shall be placed on:

(a) A manufactured home/FAS park space within a manufactured home/FAS park for which a valid Manufactured Home/FAS Park Permit and a current Manufactured Home/FAS Park License are in effect, and the location meets the requirements of this chapter, Chapter 11 BCC and Chapter 3.22 BCC (Manufactured Home/FAS Park Chapter); or,

(b) a manufactured home/FAS park space within a manufactured home/FAS park which is a non-conforming use, and the location meets the requirements of this chapter and Chapter 11 BCC; or,

(c) a lot of record, and the location meets the requirements of this chapter and Chapter 11 BCC.

[Ord. 166 (1983) § 12; Ord. 252 (1994) § 9; Ord. 456 (2007) § 10]

[**NOTE:** This chapter is continued on the following page.]

3.20.120 INSTALLATION--OCCUPANCY--APPROVAL OR CORRECTIONS NECESSARY. The Benton County Manufactured Home/FAS Installation Inspector shall approve the installation of a manufactured home/FAS and allow the manufactured home/FAS to be occupied if the installation complies with the installation requirements of this chapter and with the conditions of the Installation Permit.

If the placement does not comply with the above, the Manufactured Home/FAS Installation Inspector shall provide the installer with a list of corrections the installer must make. The list of corrections shall state a date by which the corrections must be completed. The Manufactured Home/FAS Installation Inspector shall reinspect the placement after the corrections are completed. If the items that require corrections do not endanger the health or safety of the occupants, or substantially affect the habitability of the manufactured home/FAS, the Manufactured Home/FAS Installation Inspector may permit the owner of the manufactured home/FAS to occupy it; provided, such authorization must be in writing.

[Ord. 166 (1983) § 13; Ord. 252 (1994) § 10; Ord. 277 (1996) § 1; Ord. 456 (2007) § 11]

[**NOTE:** This chapter is continued on the following page.]

3.20.130 PLACEMENT--FINAL INSPECTION--SKIRTING AND STEPS REQUIRED. (a) General. A final inspection shall be requested by the applicant for the installation permit thirty (30) days prior to the installation permit expiration date.

(b) Improvements Required. The following provisions shall be completed for final inspection.

(1) Skirting.

(a) FAS decks and porches three (3) feet or less above grade shall have non-combustible skirting.

(b) A manufactured home/FAS shall have a noncombustible skirting around its entire perimeter. Metal fasteners shall be corrosion-resistant material. Ferrous metal members in contact with the earth, other than those that are galvanized metal or stainless steel, shall be coated with an asphaltic emulsion. A manufactured home/FAS that is installed on a non-recessed site and that has a metal skirting shall have ventilation openings with a net area of at least one and one-half (1²) square inches per linear foot. A manufactured home/FAS that has been installed on a recessed site or that has skirting not made of metal shall have ventilation openings in the skirting with a net area of at least one and one-half (1²) square feet for each twenty-five (25) linear feet of skirting. The openings shall be designed to provide cross ventilation on at least two (2) approximately opposite sides of the manufactured home/FAS. The installer shall locate the openings as close to the corners of the manufactured home/FAS as practical and shall cover the openings with corrosion-resistant wire mesh or louvres. The skirting for each section of the manufactured home/FAS shall have an opening of at least eighteen (18) inches by twenty-four (24) inches, with a cover of metal or pressure-treated wood to allow access to crawl space.

(2) Steps. Steps shall conform to the current edition of the International Residential Code and International Residential Code Standards as adopted by Chapter 3.04, Benton County Code.

(3) Dryer vents and hot water tank pressure relief valves shall terminate and point downward on the exterior of the foundation skirting.

(c) If final inspection approval is not obtained prior to the expiration of the installation permit, the manufactured home/FAS may not be occupied after the expiration of said permit. [Ord. 166 (1983) § 14; Ord. 252 (1994) § 11; Ord. 277 (1996) § 2; Ord. 453 (2007) § 3; Ord. 456 (2007) § 12]

3.20.140 ADMINISTRATION. (a) General. The Benton County Building Official shall administer and enforce all provisions of this chapter.

(b) Interpretation. In interpreting and applying this chapter, each provision shall be considered a minimum requirement adopted for the promotion of the public health, safety and general welfare. When any provision of this chapter is in conflict with any provision of any other chapter, the provision which establishes the highest standard for the protection of the public health, safety and general welfare shall prevail. [Ord. 166 (1983) § 15]

3.20.150 PLACEMENT/INSTALLATION PROHIBITED. No person shall place, install or cause to be placed or installed any manufactured home/FAS, except as provided by this chapter. The temporary storage of manufactured homes/FAS shall not be allowed. All manufactured homes/FAS shall meet Washington State guidelines. [Ord. 166 (1983) § 16; Ord. 197 (1986) § 4; Ord. 252 (1994) § 12; Ord. 256 (2007) § 13]

[NOTE: This chapter is continued on the following page.]

3.20.160 VIOLATIONS - PENALTIES. (a) Upon a finding of a first violation of any provision of this chapter, any person or contractor shall be punished by a civil penalty not to exceed five hundred dollars (\$500) for said violation, shall be responsible for court costs, if applicable, and shall be ordered to pay restitution for any damages caused by said violation.

(b) Upon the court's finding of a second or subsequent violation of the same provision of this chapter, any person or contractor shall be found guilty of a misdemeanor.
[Ord. 197 (1986) § 5; Ord. 304 (1997) § 7]

3.20.170 INJUNCTIVE RELIEF. Notwithstanding the existence or use of any other remedy or means of enforcement of the provisions hereof, Benton County may seek legal or equitable relief to enjoin any acts or practices which constitute a violation of any of the provisions hereof and compel compliance with all provisions of this chapter. The costs of such action shall be taxed against the person violating the provisions of this chapter. The Benton County Planning and Building Department may accept a written assurance of discontinuance of any act in violation of this chapter from any person who has engaged in such act. Failure to comply with the assurance of discontinuance shall be a further violation of this chapter.
[Ord. 197 (1986) § 6; Ord. 453 (2007) § 4]

3.20.180 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.
[Ord. 197 (1986) § 7]

[**NOTE**: Pages 3-23.01 thru 3-23.06 are hereby reserved.]

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