



U.S. Department of Justice
Federal Bureau of Prisons

PROGRAM STATEMENT

OPI: ADM/FAC

NUMBER: P4220.03

DATE: October 11, 2011

Mobile Home Sites, Staff Housing

/s/

Approved: Thomas R. Kane
Acting Director, Federal Bureau of Prisons

1. PURPOSE AND SCOPE

To define the Federal Bureau of Prisons' minimum requirements for establishing sites for staff-owned and -occupied mobile homes. **Care must be taken in the needs assessment, planning, construction, and operation of these sites to meet the goal of decent, affordable housing for staff and their families.**

For this Program Statement's purposes, a "mobile home" is a structure transportable in one or more sections that is built on a permanent chassis and designed to be used as a dwelling when connected to utilities. Plumbing, heating, air-conditioning, and electrical systems are contained within the structure.

The shortage of safe, **affordable housing** is acute in some regions. Public Law 88-459 (5 U.S.C. 5911) authorizes Government agencies to provide quarters and facilities to civilian employees when conditions of employment or housing availability warrant. Constructing mobile home sites to serve as reservation housing in areas of excessive housing costs and low rental vacancy rates is one way of alleviating this problem.

a. Summary of Changes

Policy Rescinded

P4220.02 Mobile Home Sites, Staff Housing (9/16/93)

This reissuance incorporates the following modifications: Added references to National Historic Preservation Act (NHPA) and American Society of Construction Engineers (ASCE).

b. **Program Objectives.** Expected results of this program are:

- Staff will understand the minimum standards for the needs assessment, construction, and operation of sites for placement of staff-owned and -occupied mobile homes.
- Institutions will have an additional source of decent, affordable housing for staff and their families.

2. NEEDS ASSESSMENT AND COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

Construction of mobile home sites may be undertaken only when the need has been clearly identified by a survey of the availability of privately owned rental housing, including rental mobile home sites, and approved by the Regional Director.

a. **Survey.** Institutions considering construction of mobile home sites have a survey conducted by a licensed appraisal firm focusing on the cost and vacancy rates of privately owned rental housing within 20 miles of the institution. The survey includes information pertaining to qualifying income and vacancy rates, and identifies proximity to public services, crime rate, and other attributes of the area related to the desirability of existing rental housing.

b. **Review and Approval.** Survey results are forwarded to the Regional Director, who makes the final approval or disapproval to proceed.

c. **Compliance with the National Environmental Policy Act.** After approval of the Needs Assessment, but prior to the commitment of any resources, the proposed action must be evaluated in accord with the requirements set forth in Appendix A to 28 CFR Part 61, Bureau of Prisons Procedures Relating to the Implementation of the National Environmental Policy Act.

d. **Institution Supplement.** Following final approval to proceed with a project and compliance with the National Environmental Policy Act, an Institution Supplement shall be issued prior to occupancy. At a minimum, the supplement shall include the attached “Articles of Covenant” (Attachment A) and shall insure all operating standards are met.

3. CONSTRUCTION STANDARDS

Construction standards in this Program Statement are **minimum** standards. Any Federal, state, or local codes requiring more stringent standards, including those related to environmental legislation, supersede these requirements. Institutions may also establish more stringent construction requirements.

a. **Construction Restrictions.** No construction may take place within a 100-year flood plain, in areas protected as wetlands (where soil conditions prohibit proper placement of mobile home pads), or before completion of Section 106 efforts of the National Historic Preservation Act,

where applicable. The ability to anchor mobile homes to resist seismic, wind, and snow loads per American Society of Construction Engineers (ASCE) 7-05, "Minimum Design Loads for Buildings and Other Structures," is mandatory.

b. **Streets and Sidewalks.** Streets leading to individual pads must be paved and a minimum of 20 feet wide. The width of the street is increased by 8 feet for each side where parking is permitted.

A sidewalk a minimum of 4 feet wide is provided along the front edge of the pad. The sidewalk connects with either the driveway (if one is provided) or the street. It is installed so as to promote drainage away from the pad and prevent the ponding of water.

c. **Lot Requirements.** Each lot is provided with a poured concrete pad to reduce the formation of ditches and odor buildup. The pad is sized to accept a double-wide mobile home, and contains provisions for anchoring a single-wide home. It must be at least 12 feet from the front lot line, 20 feet from the side lot lines, and 20 feet from the rear lot line, and is poured so as to prevent the flow of storm water under the home.

A driveway may be provided for each lot. It must be a minimum of 20 feet in length and 10 feet in width, paved and constructed so as to allow for proper drainage away from the pad.

d. **Grading.** Public areas, individual lots, and sidewalks are graded to control storm water runoff and prevent ponding. These areas must comply with Federal accessibility standards per the Architectural Barriers Act (ABA).

e. **Site Lighting.** Adequate lighting is provided to illuminate streets, driveways, and walkways at night. The level of lighting is left to the Institution Supplement, but reference to local codes and standards is recommended.

f. **Services Included.** Each lot is provided with water, sewer, electrical, telephone, and trash removal services. Natural gas service is provided if available. Utilities extend upward from the pad and are protected by a concrete collar extending a minimum of 3 inches above the pad and a minimum of 12 inches from the outside of any conduit. Utilities must be protected from freezing.

Utilities entering the site must contain shutoffs activated by ground shaking if the site is located in seismic zone 2 or higher as identified by the Seismic Zone Map of the United States in the Uniform Building Code (UBC). All utilities are located underground.

g. **Water Service.** Water service to the site must meet National Fire Protection Association (NFPA) requirements. Local municipal fire departments are consulted before ordering hydrants to ensure compatibility with their equipment.

h. **Sewer.** Sewer lines four inches or less in diameter must have cleanout intervals no greater than every 50 feet. Sewer lines larger than four inches have cleanout intervals no greater than every 100 feet.

4. **RENTAL RATES**

Rental rates are set by the Central Office, Property Management Section, per Office of Management and Budget (OMB) Circular A-45, revised using the Quarters Management Information System (QMIS) and the Program Statement **Property Management Manual**.

5. **HOUSING COMMITTEE**

A Housing Committee is established per the **Property Management Manual** and sets criteria for selecting tenants.

The Housing Committee also ensures periodic inspections of each lot and its surrounding area. Owners not maintaining their homes and lots at a high standard of appearance are notified of any deficiencies. If the owner does not correct these within a period set by the Housing Committee, the Committee, with the Warden's approval, can terminate the rental agreement and require removal from the premises of the mobile home and all personal property.

6. **OPERATING STANDARDS**

Operating standards in this Program Statement are **minimum** standards and may be superseded by state or local occupancy codes prescribing more stringent standards.

a. **Financial Responsibility.** Owners must obtain liability insurance per the Institution Supplement. The owner of the mobile home is solely responsible for payment of fees and taxes related to the home.

b. **Mobile Home Size and Safety.** Minimum dimensions of a mobile home eligible to occupy a pad are 50 feet in length and 10 feet in width. The Institution Supplement may increase these dimensions. The mobile home must meet the Federal Manufactured Home Construction and Safety Standards, 24 CFR 3280. A seal is affixed to a mobile home meeting 24 CFR 3280.

c. **Occupancy.** Pad occupancy is limited to owner-occupied mobile homes. Under no circumstances may a mobile home be subleased or rented. A mobile home purchased with financing is considered to be owner-occupied. The owner is solely responsible for installation and removal of the home.

d. **Utility Connections.** Procedures for connecting utilities are defined by the Housing Committee. Connections must comply with local codes.

e. **Parking.** Parking is limited to driveways (if provided) and streets where permitted. Each lot is limited to two passenger-carrying vehicles. Vehicles must be registered and maintained in a safe operating condition. Exceptions are at the institution's discretion. (See Attachment, section 2(g).)

f. **Accessory Building.** One accessory building may be permitted at the institution's discretion. It must be of wood or metal construction, no more than 140 square feet in area, and located in an area designated in the Institution Supplement.

g. **Skirting.** Skirting must be applied to the mobile home within 30 days of placement on the pad. The skirting material must be durable, compatible with the material of the home, and allow adequate ventilation under the home.

h. **Site Restoration.** The site must be restored to its initial condition by the owner when vacated. Accessory buildings and similar items brought to the site are removed within seven days of vacating.

i. **Firearms Prohibition.** Per the Program Statement **Property Management Manual**, personal firearms and/or weapons may not be kept in staff owned mobile homes located on Bureau institution grounds. This includes all firearms and other types of weapons such as, but not limited to, crossbows, bows, arrows, explosive devices, ammunition, or pellet guns. Persons violating this provision may be subject to administrative discipline.

7. INSTITUTION SUPPLEMENT

An Institution Supplement must be prepared to implement this Program Statement at institutions that have or are approved for mobile home parks (prior to first occupancy). The Institution Supplement covers items in Sections 4-6 and notes any construction standards more stringent than those in Section 3.

REFERENCES

Program Statements

P4200.10 Facilities Operations Manual (1/24/06)

P4400.05 Property Management Manual (5/26/04)

ACA Standards

None.

Records Retention Requirements

For guidance on records and information that apply to this program, see the Records and Information Disposition Schedule (RIDS) on Sallyport.

Attachment A: ARTICLES OF COVENANT

ARCHITECTURAL STANDARDS

No building, fence, wall, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing by the Housing Committee of the institution.

USE RESTRICTIONS

Section 1. Residential Use. All lots and homes shall be used for residential purposes exclusively.

Section 2. Prohibited Uses and Nuisances.

(a) No noxious or offensive trade or activity shall be carried on within the common area or within any home on the properties nor shall anything be done therein or thereon which may be or become an annoyance to the neighborhood or the other owners.

(b) There shall be no obstruction of any common area, except as herein provided. Nothing shall be stored upon the common area, except as herein provided, without the approval of the Housing Committee of the institution. Vehicular parking upon the common area shall be limited to marked parking areas.

(c) Nothing shall be done or maintained upon the common area which will increase the rate of insurance of owners. Nothing shall be done or maintained on the common area which would be in violation of any law. No waste shall be committed upon the common area.

(d) No structural alteration, construction, addition, or removal of the common area or facilities shall be commenced or conducted except upon written approval of the Housing Committee of the institution.

(e) The maintenance, keeping, boarding, and/or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and is hereby prohibited within any home, or upon the common area, except that this shall not prohibit the keeping of domestic pets as outlined in the Institution Supplement; provided that they are not kept, bred, or maintained for commercial purposes; and provided further that the keeping of such dogs, cats, and/or caged birds will not constitute such type of noxious or offensive activity as covered in subsection (a) of this section. All dogs must be kept inside their respective owner's home or enclosed yard and may be walked on the common area, only on a leash.

(f) Except for such signs as may be posted by the Institution Executive Staff, no signs of any character shall be erected, posted, or displayed upon, in, from, or about any home or the common area. Real estate signs shall be addressed in the Institution Supplement.

(g) Except as herein elsewhere provided, no junk vehicle or other vehicle, on which current registration plates are not displayed, trailer, truck, camper, camp truck, house trailer, boat, boat trailer, or the like shall be kept upon the common area or any lot, nor shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon except as may be provided by the Institution Supplement approved by the Housing Committee.

(h) No part of the common area shall be used for commercial activities of any character.

(i) No burning of any trash and no unreasonable or unsightly accumulation or storage of litter, new or used building materials, or trash of any other kind shall be permitted on any lot or upon the common areas. Trash and garbage containers shall not be permitted to remain in public view, except as provided by the Institution Supplement. Yards, steps, and parking areas of each residence must be kept clean of litter, paper, and trash.

(j) No structure of a temporary character, trailer, tent, shack, barn, or other outbuilding shall be maintained upon the common area at any time except by the institution. Sheds shall be subject to prior approval by the Housing Committee, except for sheds, if any, erected by the institution as part of the original construction. Outdoor clothes dryers or clotheslines shall not be maintained upon any lot.

(k) No outside television or radio aerial or antenna, or other aerial or antenna shall be maintained upon any home.

(l) Decks, porches, patios, and platforms shall be maintained in a neat, safe, and orderly manner.

(m) The owner of each home shall have the right to store firewood provided such wood is kept in a covered storage box or neatly stored out of sight.

(n) The rear deck, patio, or driveway of each home may be equipped with an awning for protection from the elements, such awning may also have side panels for privacy. All awnings must be approved by the Housing Committee of the institution.

(o) Between 11:00 p.m. and 9:00 a.m., there shall be no loud or unusual noises; musical instruments, radios, televisions, record players, phonographs, hi-fi sets, and amplifiers shall be used in such manner as not to disturb the other home owners.

(p) Outdoor cooking is only permitted in those areas approved in the Institution Supplement.

(q) Fences approved by the Housing Committee in accordance with established standards may only be installed rearward from the rear building line of each home; provided, however, that the home owner shall thereafter be responsible, at his sole expense, for all maintenance of said fence. Further, the maintenance of all balconies, patios, and doorsteps and the watering and maintenance of all lawns, plants, and landscaping within the lot lines of each lot shall be performed by each home owner at his expense, together with removal from all sidewalks and walkway or landscaping within each lot. Except as herein provided, no home owner shall build, plant, or maintain any matter or thing upon, over, or under the common area, except with the express permission of the Housing Committee, first obtained in writing, nor shall any home owner place trash, garbage, excess material of any kind on or about the common area, nor burn, chop, or cut anything on, over, or above the common area.

(r) The front, side, and rear yards of each lot are to be maintained by each home owner. All uses of the front, side, and rear yards of each lot are specifically limited by the covenants herein.

ARTICLE VII

EXTERIOR MAINTENANCE AND EMERGENCY REPAIRS

Section 1. Exterior Maintenance. In the event that the need for maintenance or repair of a lot or the improvements thereon is caused through the willful or negligent acts of a homeowner, or through the willful or negligent acts of the family, guests or invitee of the homeowner of the lot needing such maintenance or repair, the cost of such exterior maintenance or repair shall be borne by the homeowner.