

Proposed Rulemaking

Rules Pertaining to Mobile Home and Recreational Vehicle Parks Title

Promulgated by:
Department of Health

Title 20. Public Health and Welfare

Chapter I. Generally, Department of Health

Subchapter E. Environmental Health

Part 138. Rules Pertaining to Mobile Home and Recreational Vehicle Parks

Subpart 1. Generally

20 CAR § 138-101. Definitions.

The following terms are defined for the purpose of this part:

- (1) "Department" means the Department of Health;
- (2) "Dependent recreational vehicle" means a recreational vehicle that is dependent upon a service building for toilet, shower, and lavatory facilities;
- (3) "Holding tank" means a tank or device used for the temporary storage of untreated human waste mounted on the recreational vehicle;
- (4) "Mobile home" means a transportable, single-family dwelling unit suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing;
- (5) "Mobile home park" means a parcel of land for the placement of three (3) or more mobile homes, tiny homes on wheels, or recreational vehicles where services for a fee are provided for the placement ~~and maintenance of mobile homes~~ for residential purposes;
- (6) "Mobile home space" means a space or lot in a mobile home park where water and sewer services are provided;

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(7) "Recreational vehicle" means any of the following:

(A) **Travel trailer.** A ~~vehicular,~~ portable structure built on a chassis, designed to be used as a ~~temporary~~ dwelling for travel, recreation, and vacation uses, permanently identified as a travel trailer by the manufacturer of the trailer and, ~~when~~ factory equipped for the road, ~~it shall have:~~

~~_____ (i) A body width not exceeding eight feet (8'); and~~

~~_____ (ii) A body length not exceeding thirty two feet (32');~~

(B) **~~Pick-up coach~~ Truck camper.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for:

(i) Travel;

(ii) Recreation; and

(iii) Vacation;

(C) **Motor-home.** A self-powered, enclosed recreational vehicle dually used as both a vehicle and a temporary or full-time dwelling; and

(D) **Camping trailer.** A folding or collapsible structure, mounted on wheels and designed for travel, recreation, and vacation use;

(8) "Recreational vehicle park" means a parcel of land, for which plans have been approved by the Department of Health, where three (3) or more spaces are occupied or intended for occupancy by recreational vehicles for transient dwelling purposes, typically by night or week, commonly associated with travel to, at, or near an attraction;

(9) "Recreational vehicle space" means a parcel of land in a recreational vehicle parking area for the:

(A) Placement of a single recreational vehicle; and

(B) Exclusive use of its occupants;

(10) "Sanitary station" means a facility used for removing and disposing of wastes from self-contained recreational vehicle holding tanks;

(11)(A) "Self-contained recreational vehicle" means a recreational vehicle that can operate independent of connections to sewer and; water, ~~and electrical systems.~~

(B) ~~It~~ A self-contained recreational vehicle contains a water-flushed toilet, lavatory, shower, and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the self-contained recreational vehicle;

(12) "Service building" means a structure housing toilet, lavatory, and other facilities that are necessary to adequately serve the park occupants;

~~(13) "Service sink" means a slop sink with a flushing rim for the disposal of liquid wastes from small holding tanks;~~

~~(1413)~~ "Service water" means a sanitary station water supply for the wash-down of sewage holding tanks that is equipped with a backflow prevention device, air gap supply line, and drain to the sewage disposal system;

~~(1514)~~ "Sewage" means all wastes discharging from sanitary conveniences and plumbing fixtures of a domestic nature, exclusive of industrial and commercial wastes;

~~(1615)~~ "Sewer connections" means the connection consisting of all pipes, fittings, and appurtenances from the drain outlet ~~of the trailer or mobile home~~ to the inlet of the corresponding sewer riser pipe of the sewer system serving the ~~mobile home~~ space;

~~(1716)~~ "Sewer riser pipe" means that portion of the sewer line that extends vertically to or above the ground elevation and terminates at each recreational vehicle or mobile home space;

~~(17)~~ "Tiny house on wheels" means a structure intended as a habitable dwelling for one or more individuals which, for the purposes of this part, shall be considered a:

~~(A) Mobile home, if plumbed and inspected in accordance with the 2018 Arkansas Plumbing Code, 17 CAR pt. 65; or~~

~~(B) Recreational vehicle, if not plumbed and inspected in accordance with the 2018 Arkansas Plumbing Code;~~

(18) "Wastewater" means any sewage containing animal or vegetable matter in suspension or solution, including but not limited to liquid wastes from:

(A) Toilets;

(B) Kitchen sinks;

- (C) Lavatories;
- (D) Washing machines; and
- (E) Other plumbing fixtures;

(19) "Water connection" means a connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the recreational vehicle or mobile home;

(20) "Water riser pipe" means that portion of the water supply system serving the mobile home or recreational vehicle parking area which extends vertically to the ground elevation and terminates at a designed point at each ~~recreational vehicle or mobile home~~ space; and

(21) "Watering station" means a facility for supplying the water storage tanks of recreational vehicles with potable water.

20 CAR § 138-102. Compliance.

(a) Any parcel of land in which three (3) or more spaces are occupied or intended for occupancy by recreational vehicles, tiny houses on wheels, or mobile homes, where placement ~~and~~/or maintenance services, or both, are provided for a fee, whether new or existing, shall be:

- (1) Considered a mobile home or recreational vehicle park; and
- (2) In compliance with this part.

(b) The owner or operator of the park shall be responsible for compliance with this part.

(c) Requests for waivers or exceptions to this part will be considered on a case-by-case basis and approval will be at the discretion of the Department of Health.

(d) No person, firm, corporation, or association shall begin construction, alteration, repair, or extension of a mobile home or recreational vehicle park without first submitting and receiving approval from the department.

(e) Detailed plans and specifications shall be submitted that include:

- (1) The park layout;
- (2) The sewage system;

- (3) The water source and distribution system;
- (4) All buildings;
- (5) Parking areas;
- (6) Dump stations; and
- (7) The topographical features of the park.

20 CAR § 138-103. Environmental and open space requirements.

(a) General requirements.

(1) Conditions of the soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants.

(2) Mobile home parks shall not be subject to unpredictable ~~and/or~~ sudden flooding.

(3) Recreational vehicles shall:

- (A) Not be permanently connected to recreational vehicle spaces; and
- (B) Be quickly and easily moved when a flood event is immanent.

(b) **Soil and ground cover requirements.** Exposed ground surfaces in all parts of every parking area shall be:

- (1) Paved or covered with stone or solid material; or
- (2) Protected with a vegetative growth that is capable of preventing soil erosion ~~and of eliminating objectionable dust.~~

(c) Required separation between recreational vehicles.

~~(1) Recreational vehicles shall be separated from each other and from other structures by at least ten-fifteen feet (~~10~~15).~~

~~(2) Any accessory structure such as attached awnings, carports, or individual storage facilities shall, for purposes of this separation requirement, be considered part of the recreational vehicle.~~

(d) Required separation between mobile homes.

(1) Mobile homes shall be separated from each other and from other buildings and structures by at least fifteen feet (15'), provided that mobile homes placed end-to-end may have a clearance of ten feet (10') where opposing rear walls are staggered.

~~(2) Consultation with local fire and planning jurisdictions is recommended.~~

~~(2) An accessory structure which has a horizontal area exceeding twenty five square feet (25 sq. ft.), is attached to a mobile home or located within ten feet (10') of its window, and has an opaque top or roof that is higher than the nearest window shall, for purposes of all separation requirements, be considered part of the mobile home.~~

20 CAR § 138-104. Water supply.

(a) **Quality and source.** An adequate supply of water, under pressure, which meets the bacteriological, chemical, and physical requirements of [the Rules Pertaining to Public Water Systems, 20 CAR pt. 140, and](#) the National Primary Drinking Water Standards, 40 C.F.R. pt. 141, or equivalent, shall be provided in each recreational vehicle and mobile home park.

(b) Individual water riser pipes and connections.

(1) Individual water riser pipes shall be located within the confined area of the ~~mobile home~~ space at a point where the water connection will approximate a vertical position.

(2)(A) Water riser pipes shall extend at least four inches (4") above ground elevation.

(B) The water riser pipe shall be at least three-quarter inch (3/4") in diameter.

(C) The water outlet shall be capped when a mobile home does not occupy the lot.

(3)(A) Adequate provisions shall be made to prevent the freezing of:

- (i) Service lines;
- (ii) Valves; and
- (iii) Riser pipes.

(B) Surface drainage shall be diverted away from the location of the riser pipe.

(4) A shut-off valve below the frost line shall be provided near the water riser pipe on each ~~mobile home~~ space.

(5) Underground stop and waste valves shall not be installed on any water service line.

(6) All water-piping fixtures shall be constructed and maintained in accordance with the current Arkansas Plumbing Code, 17 CAR pt. 65.

(7) (A) All units with water holding tanks shall be separated from the potable water systems by a Reduced Pressure Zone Assembly.

(B) One assembly may serve any number of similar units as allowed by code.

(c) Watering stations.

(1)(A) Each recreational vehicle park shall be provided with one (1) or more easily accessible water supply outlets for filling recreational vehicle water storage tanks.

(B) Water supply outlets shall:

(i) Consist of at least a water hydrant and necessary appurtenances;

and

(ii) Be protected against the hazards of backflow and back siphonage.

(2) When recreational vehicle spaces are provided with water service, ~~it~~they shall comply with requirements set forth in this section.

20 CAR § 138-105. Sewage disposal.

(a)(1) An adequate, safe, and approved sewage system shall be provided in all mobile home and recreational vehicle parks for the conveying and disposing of all sewage.

(2) All sewage shall be disposed of in a public sewer system where one is accessible within three hundred feet (300').

(3) Sewage treatment/disposal systems for mobile home ~~and recreational vehicle~~ parks shall be sized according to the estimated daily flow requirements as specified in Appendix B of the Rules Pertaining to Onsite Wastewater Systems, ~~Designated Representatives, and Installers,~~ 14 CAR pt. 21.

(b)(1) Central laundry facilities, where provided, shall be reviewed, approved, and permitted by the Division of Environmental Quality.

(2) Central laundry facilities shall not be connected to the onsite wastewater system serving the mobile home or recreational vehicle park.

(c) Mobile home park individual sewer connections.

(1)(A) Each mobile home space shall be provided with at least a four-inch diameter sewer riser pipe.

(B) The sewer riser pipe shall be so located on each space that the sewer connection to the mobile home drain outlet will approximate a vertical position.

(2)(A) The sewer connection (see definition) shall have a nominal inside diameter of at least three inches (3"), and the slope of any portion thereof shall be between one-eighth inch (1/8") and ~~one-one~~ quarter inch (1/4") per foot.

~~(B) The sewer connection shall consist of a single pipe only without any branch fittings.~~

~~(CB)~~ All joints shall be watertight.

(3) All materials used for sewer connections shall be semirigid, corrosive resistant, nonabsorbent, and durable with a smooth inner surface.

(4)(A) Provision shall be made for ~~plugging capping~~ the sewer riser pipe when a mobile home does not occupy the lot.

(B) Surface drainage shall be diverted away from the riser.

(C) The rim of the riser pipe shall extend at least four inches (4") above ground elevation.

(d) Recreational vehicle park sanitary stations.

(1)(A) ~~All recreational~~ Recreational vehicle parks providing a separate water and sewer connection at each recreational vehicle space shall ~~also provide at each space a connection to an approved sewage collection and treatment/disposal system~~ meet the requirements stated in this section.

~~(B) The sewer connection at each space shall meet the requirements stated in this section.~~

~~(CB)~~ A sanitary station is comprised of a conveniently located, all-weather access disposal facility adequately sized to accommodate sewage holding tank discharges from recreational vehicle units not affixed to permanent disposal sites.

(2) Each recreational vehicle park shall provide a sanitary station consisting of at least:

(A) A ~~trapped~~ four-inch sewer riser pipe, connected to the recreational vehicle parking area sewerage system, surrounded at the inlet end by a concrete apron sloped to the drain, and provided with a suitable hinged cover; and

(B) A water outlet, equipped with approved backflow prevention devices, connected to the park water supply system to permit periodic wash-down of the ~~immediate adjacent~~ area.

(C) The water outlet shall be labeled "NON-POTABLE – DO NOT DRINK".

(3) Each recreational vehicle parking area shall ~~be provided with~~ a sanitary station in the ratio of one (1) for every one hundred (100) recreational vehicle spaces or fractional part thereof.

(4) Sanitary stations shall be:

~~(A) Screened from other activities by visual barriers such as fences, walls, or natural growth; and~~

~~(B) Separated~~ separated from any recreational vehicle space by a distance of at least ~~one hundred~~ fifty feet (~~100~~ 50).

20 CAR § 138-106. Electrical distribution system.

~~If an electrical wiring system is provided, it should consist of approved fixtures, equipment, and appurtenances, which should be installed and maintained in accordance with the National Electrical Code. The electrical systems shall be in compliance with the National Electrical Code and all local codes, as required.~~

20 CAR § 138-107. Service building and other service facilities.

Service building for recreational vehicle parks.

(1)(A) A central service building containing the necessary toilet and other plumbing fixtures specified in Table 1 shall be provided in recreational vehicle parks that provide parking spaces for dependent recreational vehicles.

(B) Service buildings shall be conveniently located within a radius of approximately at least three hundred feet (300') to the spaces to be served.

(C) Service buildings shall be conveniently located within a radius of approximately at least three hundred feet (300') to all areas designated or used for overflow or tent camping.

TABLE 1

No. of Parking Spaces ^a	Toilets		Urinals	Lavatories		Showers		Other Fixtures ^b
	Men	Women	Men	Men	Women	Men	Women	
1-15	1	1	1	1	1	1	1	1-service sink with a flushing rim ^c
16-30	1	2	1	2	2	1	1	
31-45	2	2	1	3	3	1	1	
46-60	2	3	2	3	3	2	2	
61-80	3	4	2	4	4	2	2	
81-100	3	4	2	4	4	3	3	

^a Parking spaces for dependent recreational vehicles.

^b Additional fixtures including laundry trays, clothes washing machines (one for every 30 sites) and ice-making machine may be provided.

^c A service sink with a flush rim shall be provided for disposal of liquid wastes unless a sanitary station is conveniently accessible for this purpose.

(D) For parks having more than one hundred (100) recreational vehicle spaces, there shall be provided:

- (i) One (1) additional toilet and lavatory for each sex per additional thirty (30) recreational vehicle spaces;
- (ii) One (1) additional shower for each sex per each additional forty (40) recreational vehicle spaces; and

(iii) One (1) additional men's urinal per each additional one hundred (100) recreational vehicle spaces.

(2) Where a recreational vehicle park is designed for and exclusively limited to use by self-contained recreational vehicles, for each one hundred (100) recreational vehicle spaces, or fractional part thereof, there shall be one (1) flush toilet and one (1) lavatory for each sex.

(3) When a recreational vehicle park requiring a service building is operated in connection with a resort or other business establishment, the number of sanitary facilities for such business establishment shall be:

(A) In excess of those required by the schedule for recreational vehicle spaces; and

(B) Based on the total number of persons using such facilities.

(4) Service buildings and sanitary facilities shall be operated and maintained in a safe, clean, and sanitary manner.

20 CAR § 138-108. Plumbing.

All plumbing shall conform to the current Arkansas Plumbing Code, 17 CAR pt. 65, and Fuel Gas Code, 20 CAR pt. 67.

20 CAR § 138-109. Refuse handling.

The storage, collection, and disposal of refuse in the mobile home and recreational vehicle park shall be conducted so as to create no:

- (1) Health hazard;
- (2) Rodent harborage;
- (3) Insect breeding area;
- (4) Accident; or
- (5) Fire hazard.

20 CAR § 138-110. Plan review.

When a mobile home, tiny house on wheels, or recreational vehicle park is proposed or remodeled, properly prepared plans and specifications for such construction, remodeling, or alteration shall be submitted to the Department of Health for approval before any work is begun.

20 CAR § 138-111. Penalty.

(a) Every firm, person, or corporation who violates any of the rules issued or promulgated by the State Board of Health or who violates any condition of a license, permit, certificate, or any other type of registration issued by the board may be assessed a civil penalty by the board.

(b) The penalty shall not exceed ~~two hundred fiftyone thousand~~ dollars (~~\$2501,000~~) for each violation.

(c) Each day of a continuing violation may be deemed a separate violation for the purposes of penalty assessments.

(d) However, no civil penalty may be assessed until the person charged with the violation has been given the opportunity for a hearing on the violation.

~~—(e) Arkansas Code § 20-7-101.~~

20 CAR § 138-112. Severability.

If any provision of this part, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this part which can give effect without the invalid provisions or applications, and to this end the provisions hereto are declared to be severable.

20 CAR § 138-113. Repeal.

All rules and parts of rules in conflict herewith are hereby repealed.