

INDUSTRIALIZED BUILDINGS

RULES OF THE COMMISSIONER OF COMMUNITY AFFAIRS

Published by

GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

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**RULES OF THE
COMMISSIONER OF COMMUNITY AFFAIRS
110-2 INDUSTRIALIZED BUILDINGS**

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110-2-1 ADMINISTRATION

110-2-1-.01 Scope. The provisions of the rules and regulations provided herein are in implementation of Official Code of Georgia Annotated (O.C.G.A.) Title 8, Chapter 2, Article 2, Part 1 (hereinafter referred to as the "Industrialized Buildings Act") and are intended to provide uniform health and safety standards and inspection procedures for such construction, while preserving and recognizing local government responsibility in regard to utilization of such construction within a community. Rules and regulations provided herein are applicable to all industrialized buildings which are manufactured or re-manufactured for sale or offered for sale within the State of Georgia and all industrialized buildings manufactured in Georgia and installed in other states under reciprocal agreements. The rules apply to all industrialized buildings which are sold or offered for sale or installed in Georgia, regardless of whether or not local construction codes are administered in the areas where the installation takes place. The Legislature has provided that the Industrialized Buildings Act does not apply to manufactured (mobile) homes which are constructed under the requirements of the U.S. Department of Housing and Urban Development (HUD) and bear a HUD Insignia of Approval. These rules become effective July 1, 2018 and supersede all previous Rules of the Commissioner of Community Affairs for Industrialized Buildings.

110-2-1-.02 Provision of services. The Commissioner, by contract with various parties herein referred to as "agencies," may provide necessary inspection and evaluation services to insure compliance with these rules. The Commissioner may require professional liability insurance, minimum \$250,000, or other security to insure faithful performance of these rules.

110-2-1-.03 Information bulletins. The Commissioner may issue information bulletins as deemed necessary to clarify, interpret and make specific the various aspects of these rules.

110-2-1-.04 Insignia required. No industrialized building shall be sold, offered for sale or installed in the State of Georgia unless it bears an insignia of approval issued by the Commissioner or it has been inspected by the local jurisdiction in accordance with Rule 110-2-4 and Rule 110-2-10-.03(2). Industrialized buildings manufactured or remanufactured in accordance with these rules shall bear the Commissioner's insignia of approval and those buildings not constructed in accordance with these rules shall bear the Commissioner's notice of "manufactured for export from Georgia." Construction site office buildings manufactured in accordance with these rules shall bear the Commissioner's insignia of approval for construction site office buildings.

110-2-1-.05 Open construction option. Any open construction components of a substantially closed constructed building may, at the option of the manufacturer, be declared closed and thus be subject to the certification of the building system. This option

shall only apply where approval of the open components is essential to the installation procedures. All components subject to this option shall be shipped with and be identified as part of the building package.

110-2-1-.06 Field technical services. Any person may request field technical services providing such requests are submitted to the Commissioner in writing. The services available are inspection of industrialized buildings or components and installation work for compliance with the approved plans and codes, plan and specification review of industrialized buildings for compliance with the adopted codes and laws. The cost of such services shall be borne by the requesting party at the rates listed in the Schedule of Fees.

110-2-1-.07 Inspection service for local government. The Commissioner, upon request from a local government, which does not have inspection capability, shall provide inspection service for the installation of an industrialized building. The manufacturer shall be charged for such service at a rate required for field technical services (see Rule 110-2-13-.07).

110-2-1-.08 Maintenance of records. All records pertaining to an approved building or component (i.e., applications, quality control manuals, building systems documentation, model plans, inspection reports, disposition reports, insignia applied, etc.) shall be maintained by the manufacturer and third party agency for a minimum period of three years from the date the industrialized building product is shipped from the manufacturing facility.

Authority O.C.G.A. 8-2-113

110-2-2 DEFINITIONS

110-2-2-.01 General. For the purpose of these rules, the following words shall have the meaning as contained herein unless the context does not permit such meaning. Terms not defined in these rules, but defined in the Georgia State Minimum Standard Construction Codes shall have the meanings as contained in the Georgia State Minimum Standard Construction Codes. Terms not defined in these rules, or in the Georgia State Minimum Standard Construction Codes, shall have ascribed to them the ordinary accepted meanings such as the context may imply and as defined in the most recent edition of Webster's New Collegiate Dictionary.

110-2-2-.02 Definitions.

ACT. "Industrialized Buildings Act," Official Code of Georgia Annotated, Title 8, Chapter 2, Article 2, Part 1.

AGENCY:

- (1) **DESIGN APPROVAL AGENCY.** An agency, which is authorized to evaluate and approve specific models and designs.
- (2) **EVALUATION AGENCY.** An organization determined by the Commissioner to be especially qualified to evaluate the manufacturer's quality control procedures, systems, design plans, model plan specifications and engineering data for compliance with these rules and to certify compliance to the Commissioner.
- (3) **INSPECTION AGENCY.** An organization especially qualified by reason of facilities, personnel, experience, and demonstrated reliability, to investigate, test and inspect industrialized building units, systems or the component parts for compliance with the approved plans, specifications, quality control procedures and applicable codes.
- (4) **THIRD PARTY AGENCY.** An evaluation, inspection or design approval agency, or any combination thereof as defined in these rules.

APPROVED. Conforming to the requirements of these rules.

ASTM. American Society for Testing and Materials.

BUILDING SYSTEM. Plans, specifications and documentation for a system of industrialized buildings or for a type or a system of building components, which may include structural, electrical, mechanical and fire protection systems and other building systems affecting health and safety.

CLOSED CONSTRUCTION. That condition when any building, component, assembly, subassembly or system is manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly, damage to or destruction thereof.

COMMISSIONER. The "Commissioner of Community Affairs."

COMPONENT. Any assembly, subassembly, or combination of parts for use as an element of a building, which may include structural, electrical, mechanical, and fire protection systems and other systems affecting health and safety.

CONSTRUCTION SITE OFFICE BUILDING. An industrialized building designed and used for a construction site office structure having a maximum gross floor area of 400 square feet.

CONTAINER. A single rigid, sealed, reusable, metal (corrugated) box in which cargo or freight is shipped by sea vessel, air, truck or rail, that is generally 10, 20, 30 or 40 feet in length by 8 feet wide by 8, 8.5, or 9.5 feet high and is designed and constructed in conformance with International Standards Organization (ISO) standards and International

Convention for Safe Containers (ICSC) regulations to withstand normal stresses applied during regular transport.

DAMAGE. Damage or breakage occurring to a unit of an industrialized building or any part thereof causing it to not comply with the Quality Control Manuals and these rules.

DEALER. Any person, firm or corporation that sells, offers for sale, leases, or distributes industrialized buildings to a person, firm or corporation, or government.

DEPARTMENT. The Georgia Department of Community Affairs (DCA).

ELECTRONIC MEANS. Without limitation, analog, digital, electronic, magnetic, mechanical, optical, chemical, electromagnetic, electromechanical, electrochemical, or other similar means. See O.C.G.A. Title 10 Chapter 12.

ELECTRONIC RECORDS. Information created, transmitted, received, or stored by electronic means and retrievable in human perceivable form.

ELECTRONIC SIGNATURE. A signature created, transmitted, received, or stored by electronic means and includes but is not limited to a secure electronic signature.

EQUIPMENT. All materials, appliances, devices, fixtures, fittings or accessories installed in or used in the manufacture and assembly of an industrialized building.

FIELD TECHNICAL SERVICE. Clarification in the field by the Commissioner or his/her designee of technical data relating to the application of these rules.

INDUSTRIALIZED BUILDING. Any structure or component thereof which is designed and constructed in compliance with the state minimum standards codes and is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. See Rule 110-2-1-.01.

INSIGNIA. An approved device or seal issued by the Commissioner to indicate compliance with the standards and rules established herein.

INSTALLATION. The assembly of an industrialized building, component or system on site and the process of affixing an industrialized building, component, or system to land, a foundation, footings or an existing building.

INSTALLER. Any person, firm or corporation engaged in the activity of installation of industrialized buildings or components.

LOCAL GOVERNMENT. A county or municipality of Georgia.

MANUFACTURE. The process of making, fabricating, constructing, forming or assembling a product from raw, unfinished or semi-finished materials.

MANUFACTURED FOR EXPORT FROM GEORGIA. An industrialized building which has not been inspected for compliance with the standards, codes and laws required by these Rules and cannot be installed in the state of Georgia.

MANUFACTURED (MOBILE) HOME. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained herein. (Reference 42

USC 5402[6] [24CFR 3280.2(a) (16)] and the Official Code of Georgia Annotated 8-2131[2].)

MODEL. A specific design of an industrialized building, which is based on size, room arrangement, method of construction, location, arrangement or size of plumbing, mechanical, or electrical equipment and systems therein in accordance with plans submitted to the Commissioner.

OPEN CONSTRUCTION. Any building, building component, assembly or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

ORGANIZATION. A corporation, association, partnership, political subdivision or private person(s).

RE-MANUFACTURE. The manufacture of an industrialized building into a rehabilitated building, causing the building to come into substantial compliance with the current construction codes and laws.

RESIDENTIAL INDUSTRIALIZED BUILDING. An industrialized building that is a dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure may or may not contain a permanent metal chassis but shall be affixed to permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

SHIPPING CONTAINER BUILDING MODULE. A new or used container which has been inspected, tested and certified by an approved third party agency in accordance with approved quality control and inspection protocols.

SITE. The entire tract, subdivision, or parcel of land on which the industrialized building is installed.

STANDARD DESIGN. Any building, system, model, series, or component intended for duplication or repetitive manufacture.

SYSTEM. An entity of materials or components interrelated or joined together to form all or part of a structural, plumbing, mechanical, electrical, thermal efficiency, or fire safety element of an industrialized building.

SYSTEM RECOGNITION. System approved by the Commissioner.

TINY HOUSE. A residential industrialized building dwelling unit that is 400 square feet or less in floor area excluding lofts.

Authority O.C.G.A. 8-2-113

110-2-3 ADOPTION OF CODES

110-2-3-.01 Meaning of terms. For the purpose of implementing these rules, where reference is made in these codes to "Building Official," "Administrative Authority," "Enforcement Official" or other similar reference, it shall mean the Commissioner or his/her designated representative.

110-2-3-.02 Code adoption. In order to provide uniformity in the construction of industrialized buildings, the following construction codes are adopted by reference and shall govern the design, fabrication and construction of industrialized buildings. All editions shall be the latest editions as adopted by the Department of Community Affairs (DCA) with the approval of the Board of Community Affairs (Board), unless otherwise stated herein. Where, in any specific case, different sections of the Code(s) specify different materials, methods of construction or other requirement, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

- (1) International Building Code, as adopted and amended by the Department.
- (2) International Fuel Gas Code, as adopted and amended by the Department.
- (3) International Mechanical Code, as adopted and amended by the Department.
- (4) International Plumbing Code, as adopted and amended by the Department.
- (5) National Electric Code, as adopted and amended by the Department.
- (6) International Fire Code, as adopted and amended by the Department.

- (7) International Energy Conservation Code, as adopted and amended by the Department.
- (8) International Residential Code, as adopted and amended by the Department.
- (9) State Minimum Fire Safety Standards, as adopted by the Safety Fire Commissioner.

110-2-3-.03 Code remedial. The codes listed in Rule 110-2-3-.02 are hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof -- which are public safety, health, and general welfare -- through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures, or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

110-2-3-.04 Applicability. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

110-2-3-.05 Appendices. To be enforceable, the appendices included in the technical codes must be referenced in the code text or specifically included herein.

110-2-3-.06 Alternate materials and methods. The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by the Commissioner. The Commissioner shall approve any such alternate, provided the Commissioner finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety. The Commissioner shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

110-2-3-.07 Requirements not covered by code. Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by the technical codes, shall be determined by the Commissioner.

Authority O.C.G.A. 8-2-113

110-2-4 LOCAL AUTHORITY

110-2-4-.01 Authority reserved. It is the intent of the Industrialized Buildings Act of 1982 and these rules that those areas of authority rightfully belonging to the local government are specifically and entirely reserved thereto. Such areas of county and

municipal authority include, but are not limited to local land-use and zoning, local fire zones, site development, building setback, side and rear yard requirements, property line requirements, subdivision regulations, subdivision control, review and regulation of architectural and aesthetic requirements, foundation design, and utility connections. These authorities are specifically and entirely reserved to the county if in the unincorporated area, or the municipality where the industrialized building or residential industrialized building is sited. Such local requirements and regulations not in conflict with the provisions of the Act, which currently exist or may be enacted which relate to transportation, erection, and use, must be reasonable and uniformly applied and enforced without distinction as to whether such building is manufactured offsite or built onsite in a conventional manner.

110-2-4-.02 Residential industrialized building. No ordinance or regulation enacted by a county or municipality shall exclude residential industrialized buildings from being sited in such county or municipality in a residential district solely because the building is a residential industrialized building.

110-2-4-.03 Building permits required. Building permits for the installation of industrialized buildings shall be issued by the local governments which shall require permit fees only for those inspections actually performed. Such fees shall not exceed the amount charged for similar inspections and/or permits on conventionally built structures.

110-2-4-.04 Compliance with local requirements. All industrialized buildings and residential industrialized buildings bearing an insignia of approval issued by the Commissioner pursuant to these rules shall be deemed to comply with the state minimum standard codes and all ordinances and regulations enacted by any local government which are applicable to the manufacture and installation of such buildings. The determination by the Commissioner of the scope of such approval is final.

110-2-4-.05 Local government inspection of industrialized buildings. Installation work, service connections, and foundations accomplished at the installation site shall be regulated by the local governing authority.

110-2-4-.06 Document requirement. The local government shall be reserved the authority to:

- (1) Require a set of design plans necessary to show compliance with zoning and utility connection requirements, installation procedures and approval letter as certified by the Commissioner for each installation of any unit on a building site.
- (2) Require that all permits be obtained before installation of any unit on a building site.
- (3) Require that all industrialized buildings bear the Commissioner's insignia of approval before installation.

110-2-4.07 Reporting violations and damage. The local government shall report any violation of these rules or damage received after manufacture to the Commissioner.
Authority O.C.G.A. 8-2-113

110-2-5 AGENCY REQUIREMENTS

110-2-5.01 Approval required. An agency must be approved by the commissioner for the specific type of functions to be performed. Limitations on the scope of services may be included in the agency's contract with the commissioner.

110-2-5.02 Application required. The commissioner shall consider an organization for approval upon receipt of an application accompanied by appropriate fees and a prospectus detailing its capabilities to act on behalf of the commissioner, along with the following information:

- (1) Qualifications of its employees who perform the services outlined in its application.
- (2) All engineers and/or architects shall be registered in the state of Georgia.
- (3) An affidavit, signed by the principal officer of the organization/agency, that its officers, staff or organization are not under the control or jurisdiction of any industrialized building manufacturer or supplier, either affiliate or parent corporation thereof; that it will notify the commissioner at least ninety (90) days prior to the effective date of coming under any such control. Contracts for professional services of similar or identical nature shall not prohibit the commissioner's acceptance of the applicant's qualifications.
- (4) Other specific information as required by the commissioner.

110-2-5.03 Approval expiration. Agency approvals shall expire twelve months after the date of the commissioner's approval. The Agency shall apply for "Approval Renewal," accompanied by current information regarding engineer and/or architect and personnel qualifications and the appropriate fee, prior to the expiration date. Renewal requests received after the expiration date shall be as for a new application.

110-2-5.04 Inspection agency approval requirements. An organization applying for approval as an Inspection Agency shall:

- (1) Submit an application on a form provided by the commissioner.
- (2) Submit a prospectus detailing its qualifications to inspect and test systems, components and equipment.
- (3) Comply with the personnel qualifications of ASTM Standard E-541-10 (12 -15) to establish minimum personnel qualification requirements.

110-2-5.05 Evaluation agency approval requirements. An organization applying for approval as an Evaluation Agency shall:

- (1) Submit an application on a form provided by the commissioner.

- (2) Submit a prospectus detailing its qualifications to evaluate quality control procedures, system designs, design plans, model plans and engineering data.
- (3) Certify that it has on its staff a construction oriented professional architect and/or engineer, registered in the state of Georgia, who will be responsible for certifying compliance with these rules.
- (4) Comply with the personnel qualifications of ASTM Standard E-541-10 (7-10) to establish minimum personnel qualification requirements.

110-2-5-.06 Design approval agency requirements. The commissioner shall consider an approved evaluation agency for approval as a design approval agency upon request, providing:

- (1) The requesting agency has submitted to the commissioner not less than three different sets of acceptable manufacturer model plans.
- (2) The request is accompanied by a letter (bearing notarized signatures) stating that the agency will accept full responsibility for codes compliance of any plans or changes thereto which it approves.
- (3) A listing of personnel is provided showing compliance with the qualification requirements of ASTM Standard E-541-10 (7-9).

Authority O.C.G.A. 8-2-11

110-2-6 AGENCY RESPONSIBILITY

110-2-6-.01 Cause for revocation. Failure on the part of an agency to fulfill its responsibilities as provided by contract with the Commissioner or to fail to notify the Commissioner of violations of these rules or variations from the approved plans shall be cause for revocation of the agency's contract with the Commissioner.

110-2-6-.02 INSPECTION AGENCY RESPONSIBILITIES

(See Rules 110-2-6-.03, 110-2-6-.04, and 110-2-6-.05

110-2-6-.03 In-plant inspections of manufacturing facilities and products. The approved inspection agency shall conduct a thorough inspection of all manufacturing facilities prior to the submission of the application of a manufacturer applying for state approval. The results of this inspection shall be reported to the Department along with the initial application for approval. Thereafter, the agency shall conduct announced and unannounced inspections at the manufacturing site to review any or all aspects of the manufacturer's production and quality control procedures. Changes in the manufacturer's quality control or responsible personnel shall be promptly reported to the Commissioner. The inspection agency shall make a complete inspection of at least one unit through all the operations of manufacture to assure that the manufacturer has the capabilities to produce units in compliance with their approved design and/or the appropriate codes. Thereafter, to determine if the in-plant quality control program is working as set forth in manufacturer's approved quality control manual, inspection of every visible aspect of

every building or component shall be made at least at one point during the manufacturing process.

110-2-6-.04 Existing industrialized building certification inspection. The approved inspection agency shall make inspections of existing industrialized buildings which have been submitted to the Commissioner for certification. The inspection shall be made to assure compliance with the approved plans. The inspection agency shall report to the Commissioner the results of the inspection.

110-2-6-.05 Violations to be reported. An inspection agency shall conduct inspections at the manufacturing plant or re-manufacturing site to determine compliance with the approved plans, specifications, quality control manual and applicable codes. Violation of any of the provisions of these rules or variations from the approved plans shall be cause for revocation of the plan approval and shall be reported to the Commissioner.

110-2-6-.06 Evaluation agency responsibilities. An evaluation agency shall discharge the following responsibilities:

- (1) Perform investigations, evaluations, testing and approval of applications, building systems, quality control and model plan documentation, and all amendments thereto.
- (2) The agency shall affix an approval stamp, electronically, on all approved plans and table of contents sheets of all manuals.
- (3) The architect or engineer of the agency shall affix his/her signature to the application, in the space provided, which indicates compliance of all documents with these rules, and submit all documents to the Commissioner for review. The seal of an architect and/or engineer shall be by electronic means unless otherwise prohibited by law or regulation.

110-2-6-.07 Agency approval stamp.

- (1) The agency approval stamp for model plans (which shall be placed on at least the floor plan of each model set) shall include, as a minimum, the following information:
 - (a) Name of the agency
 - (b) Building construction classification
 - (c) Building occupancy classification
 - (d) The designed wind velocity stated in miles per hour
 - (e) Fire rating of the exterior walls
 - (f) The designed floor live load
 - (g) The Seismic Design Category
 - (h) The date on which the agency approved the plans
- (2) The agency approval stamp for all other documentation may be the corporate seal, the agency engineer's seal or other stamps as adopted by the agency which shows the agency's approval of documentation. The stamp must also show the name of the agency and the date the agency approved the documentation.

110-2-6-.08 Design approval agency authority. In addition to the responsibilities of an evaluation agency, a design approval agency is authorized to issue final approval of model plans which are based on building system documentation which has received prior approval by the Commissioner. **Authority O.C.G.A. 8-2-113**

110-2-7 MANUFACTURER REQUIREMENTS

110-2-7-.01 Ownership change. When there is a change of ownership or a controlling interest in ownership of a manufacturing business in industrialized building units or components thereof, the new owner shall notify the commissioner of such change within ten (10) days after such change has taken place. To eliminate a new plan application and filing fees, the new owner must submit a statement in written form and notarized by a notary public that he will continue to manufacture in accordance with previously approved plans and quality control manual procedures.

110-2-7-.02 Change of name or address. In the event of a change in the name or address of any manufacturer, the manufacturer shall so notify the commissioner in writing within ten (10) days.

110-2-7-.03 Discontinuance of manufacture. When a manufacturer discontinues production, the manufacturer shall, within ten (10) days, advise the commissioner of the date of such discontinuance and return all Georgia insignia in its possession to the commissioner.

110-2-7-.04 Manufacturing site certification. Prior to commencement of manufacturing operations, the manufacturer's plant shall have had a certification inspection, by an approved inspection agency, to verify that procedures, personnel and equipment are ready for operations.

110-2-7-.05 Manufacturing in more than one location. If the manufacturer plans to produce at more than one location, building system plan approval may be obtained at the time of filing subject to submission of an additional set of plans, specifications and quality control procedures for each manufacturing site. If, subsequent to building system approval, the manufacturer wishes to obtain approval for additional locations of manufacture, application shall be made to the commissioner prior to start of production at such locations. **Authority O.C.G.A. 8-2-113**

110-2-8 BUILDING SYSTEM, MODEL PLAN AND INSTALLATION REQUIREMENTS

110-2-8-.01 General. A final building system approval shall be issued from the Commissioner for each industrialized building which bears an insignia of approval and is subject to these rules.

110-2-8-.02 Filing required. All building systems, component design plans and model design plans and changes shall be filed with the Commissioner.

110-2-8-.03 Acceptance of submittal. Plans and building system submittals are accepted for approval upon the recommendation of an approved evaluation agency and are subject to review as deemed necessary by the Commissioner. Model plans and component plans may be approved by a Design Approval Agency with one copy submitted to the Department for filing for record.

110-2-8-.04 Submissions, number required. All submittals to the Commissioner shall be by electronic means or as required by the Commissioner and shall be made through the manufacturer's evaluation agency. Additional copies of plans and/or data shall be supplied upon request. All submittals shall include a completed application on forms obtainable from the Commissioner.

110-2-8-.05 Building system approval application. Application to the Commissioner for building system approval shall include:

- (1) A minimum of one electronic set of documentation prepared by an architect or engineer licensed to practice in the state of Georgia, except as exempted by law, quality control manuals, calculations and any required test results for each system to be approved. The manufacturer's evaluation agency shall approve or disapprove the manufacturer's submittal and, if the submittal is approved, shall affix a stamp authorized by the Commissioner on each plan print and the table of contents of the supporting data in manual form. The table of contents or index shall identify each sheet contained in the manual by sheet number and date. The seal of an architect and/or engineer shall be by electronic means unless otherwise prohibited by law or regulation.
- (2) Specifications of all materials, equipment and devices to be used.
- (3) Specifications and typical details for methods of incorporating materials, equipment and devices into a building.
- (4) Calculations and/or tests required to substantiate the system design or any variance from the prescriptive requirements of the codes.
- (5) Typical details in sufficient clarity to show compliance with the codes. Such information shall be specific, and the codes shall not be cited as a whole or in part, nor shall the term "approved" or its equivalent be used as a substitute for specific information.

110-2-8-.06 Model plan requirements.

- (1) Effective January 1, 2010, all model plan submittals shall be by electronic means.
- (2) Model plan submittal shall consist of: elevations, cross section(s), architectural, electrical, plumbing, and heating/air conditioning floor plans and foundation plans for the particular model.

- (3) All plans shall be drawn to scale and the scale ratio indicated. A scale bar shall be shown on the plan sheet(s).
- (4) The model plans shall contain information, in the form of notes or details, as to the quality of materials and the method of construction or shall reference specific details or other documents contained in the building system documentation which apply and are essential for determining compliance with the codes. The floor plans shall show the designed use for all areas of the building.
- (5) All plans shall contain a title block which shall indicate the:
 - 1) Manufacturer's name and address
 - 2) Sheet title and number
 - 3) Model, job, or plan number
 - 4) Date the drawing was completed
 - 5) Dates of all revisions
 - 6) Name of the designer

110-2-8-.07 Calculation and test procedures. Where it is necessary to substantiate any structural design or method of construction, calculations and supporting data signed by a Georgia licensed architect or professional engineer, shall be submitted to the Commissioner.

The load bearing capacity of elements or assemblies may be established either by calculations in accordance with generally established principles of engineering design, or by physical tests acceptable to the Commissioner. When the composition of configuration of elements, assemblies or details of structural members are such that calculations of their safe load-carrying capacity, basic structural integrity or fire resistance cannot be accurately determined in accordance with generally established principles of engineering design, such structural properties or fire resistance of such members of assemblies may be established by the results of tests acceptable to the Commissioner.

110-2-8-.08 Building system approval expiration. Building system approvals shall expire twelve (12) months after the date of approval by the Commissioner.

110-2-8-.09 Renewal. Building system and model design plans may be renewed prior to the expiration date by submission of building system approval renewal form obtainable from the Commissioner. Applications for renewal shall be submitted with the appropriate renewal fees as designated in the fee schedule of these rules. After the expiration date, applications for approval of building systems, and models previously approved shall be processed as new applications. Renewal is granted only when the plans for the designated model design meet the requirements of these rules. A building system approval renewal shall be made only for a system identical to the one which had prior approval by the Commissioner, except the plans shall be updated to comply with the then current construction codes

110-2-8-.10 Revocation of approval. Revocation of a building system approval shall occur upon the failure of the manufacturer to comply with the provisions of these rules.

Nothing herein shall be construed to prohibit a manufacturer from submitting, for a new approval, a system for which approval has been revoked as provided in these rules.

110-2-8-11 Non-conforming application. Should the application submittal not conform to the requirements of these rules, the applicant and the evaluation agency shall be notified in writing. If corrections have not been received by the Commissioner within ninety (90) days of such notice, the application will be deemed abandoned and filing fees shall be nonrefundable. Subsequent submission shall be as for a new application.

110-2-8-12 Evidence of Commissioner's approval. Plans and specifications approved by the Commissioner shall be accompanied by an approval letter issued by the Commissioner, and a stamp of approval shall be placed on each plan print and on the table of contents sheet of each manual. An approved copy of the plans and specifications shall be returned to the manufacturer with an approval letter indicating any necessary limitations. A copy of the approved documents shall be available for inspection at each place of manufacture.

110-2-8-13 Transportation of industrialized buildings. The method of and manner of transporting units to storage areas and the installation site and the method of placing or storing units on site must be specified. Calculations or tests to show that the unit will perform under transportation stresses must be included. Movement over the road to the installation site without damage is an acceptable test.

110-2-8-14 Installation procedures. The manufacturer shall compile a document labeled "Installation Procedures" which shall contain the necessary instructions needed to prepare the building for occupancy. The Installation Procedures shall list those items to be inspected or installed at the installation site and show in detail methods of placing each unit on site* without functional damage. These designs shall include but not be limited to lift point designation(s), jacking points and stresses. Installation of industrialized buildings shall comply with the codes specified herein. A minimum of two (2) printed sets of Installation Procedures shall accompany each building or component when it leaves the manufacturing or re-manufacturing facility.

110-2-8-15 Changes to approved building system documentation. Where the manufacturer proposes to change any portion of its system design or if these rules or the state construction codes are amended to necessitate such change, the manufacturer shall be required to submit to the Commissioner a minimum of three (3) sets of supplemental documentation. Documentation shall be accompanied by an application form, obtainable from the Commissioner, and the appropriate fee pursuant to the fee schedule of these rules. If the Commissioner determines that the supplemental documentation does not constitute a change to the existing approval, the supplements will be filed with, and become a part of the existing approval of recognition.

110-2-8-16 Required changes to existing building system approvals. When amendment of these rules requires changes to approved building system documentation, the Commissioner shall notify the manufacturer of such rule changes, and shall allow the manufacturer ninety (90) days from the date of such notification, or such additional time as the Commissioner shall deem reasonable, in which to submit revised documents for approval. Revised documents submitted pursuant to this section shall be processed as supplemental.

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110-2-9 QUALITY CONTROL REQUIREMENTS FOR MANUFACTURING FACILITIES

110-2-9-01 Procedures. Quality control procedures shall be established by the manufacturer and documented in manual form. After review by an approved evaluation agency, the procedures shall be approved by the Commissioner. The manufacturer will have a written agreement with an approved evaluation agency concerning the quality control procedures which it shall institute in its manufacturing facilities. A copy of the agreement shall be filed with the Commissioner.

110-2-9-02 Manual content. The manual shall include quality control procedures of the overall program, such as method and sequence of construction, compliance of basic materials with specifications, method of test, frequency of inspections; administrative procedures and samples of quality control forms to be used, and system description for retention of quality control records. The manual shall also include a resume of the experience and education of all supervisory personnel involved in quality control of the units. The manual shall contain a table of contents with page revision dates listed. Quality Control manuals shall be submitted in an electronic format.

110-2-9-03 Changes to the quality control program. Where the manufacturer proposes changes in the Quality Control Manual or procedures, a minimum of one copy if current manuals are in electronic format, of such changes shall be submitted through its evaluation agency for approval by the Commissioner.

110-2-9-04 Employee designation. The manufacturer shall designate an individual to be responsible for the quality control program in each plant who shall maintain records to substantiate that each unit has been inspected in accordance with the approved Quality Control Manual and complies with the plans as approved by the Commissioner. The Commissioner shall be notified in writing within ten (10) working days of any change in the designated quality control person.

110-2-9-05 Waiver of quality control procedures. The quality control procedures set forth in these rules may be waived by the Commissioner at the manufacturer's request.

Waiver of the quality control procedures shall require the manufacturer to have each unit he produces individually inspected during all phases of production.

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110-2-10 STATE INSIGNIA AND DATA PLATE REQUIREMENTS

110-2-10-.01 Insignia required. Each new industrialized building, re-manufactured industrialized building, new or modified construction site office industrialized building, industrialized building manufactured for export from Georgia or component containing any portion of a closed system manufactured separately for sale or installation in Georgia or in a state with which Georgia has a reciprocal agreement shall bear an insignia issued by the Commissioner prior to leaving the manufacturing plant or re-manufacturing site, unless otherwise authorized by the Commissioner. Each insignia shall be assigned and affixed to a specific unit. One insignia shall be required for each module of a building or component.

110-2-10-.02 Construction site office building insignia requirements.

- (1) Any construction site office building manufactured on or after April 1, 1996 shall bear the insignia of the Commissioner.
- (2) Buildings used as construction site office buildings, regardless of size, and constructed prior to April 1, 1996, modified, rehabilitated or otherwise altered prior to April 1, 2006, shall conform to the following:
 - (a) Any additions, deletions or modifications performed in or on a construction site office building and which constitutes less than fifty percent (50%) of the value of the system being modified, shall be made in conformance with the codes and rules in effect at the time the work is initiated. Such addition, deletion or modification shall not require an insignia of the Commissioner.
 - (b) If the value of modifications made to a system, (electrical, mechanical, plumbing, or structural), in or on a construction site office building exceeds fifty percent (50%) or more of the value of the entire system, all portions of the existing system shall be made to comply with the codes and rules then in effect. In addition, such modification shall require inspection by an approved inspection agency and shall bear a separate system insignia for each such system being modified in accordance with Rule 110-2-10-.01.
 - (c) A construction site office building used for other than a construction site office building shall be made to comply with the codes and rules approved for the intended use. Said building shall require an insignia as a re-manufactured industrialized building in accordance with Rule 110-2-10-.01.

110-2-10-.03 Insignia not required.

- (1) See Rule 110-2-10-.02 for construction site office building insignia requirements.

- (2) If a local jurisdiction inspects a building at the manufacture site for installation within its jurisdiction, that building will not be required to have a Georgia Insignia affixed.
- (3) In order to exempt an industrialized building or component in accordance with (2) above, the manufacturer shall provide:
 - (a) An inspection report or certification from the local unit of government or state agency performing the inspection for units to be installed in its jurisdiction. The report shall show the model and serial numbers, the address where the building/ component is to be installed, construction codes or the standard to which the building/component is constructed, and in the case of inspected units, the name and address of the official performing the inspection.
 - (b) A certification and such other evidence as required to show that the industrialized building is not subject to regulation.

110-2-10-.04 Insignia application. Following the receipt of building system and model design plan approval, the manufacturer shall make application for an insignia as required herein. The application shall be submitted to the Commissioner accompanied by the appropriate insignia fees as required by the fee schedule in these rules. The application shall include the building system approval number of each unit for which an insignia is required.

110-2-10-.05 Issuance of insignia. The Commissioner shall issue an Insignia of Approval for industrialized building units and components that have been manufactured after the effective date of these rules. The issuance of insignia shall be conditioned on compliance with these rules by the manufacturer or re-manufacturer, and the findings resulting from the inspections required herein. Insignia shall be applied only after approval by the inspection agency. The attachment of the Georgia Insignia does not relieve the manufacturer of responsibility for compliance with these rules and other applicable laws. The Commissioner does not guarantee the performance of any manufacturer or agency.

110-2-10-.06 Control of insignia. Insignia control shall remain with the Commissioner; approval for use of the insignia may be revoked by the Commissioner in the event of violation of the conditions of approval. Approval for use of insignia shall be revoked at the moment the manufacturer is without an approved inspection agency.

110-2-10-.07 Permanently affixed. The insignia shall be affixed permanently to the module. The insignia shall be located in a readily accessible location, such as the electrical panel, a utility area, inside a permanently mounted cabinet or other area as approved by the Commissioner. The insignia shall be located in the vicinity of the data plate or its location shall be identified on the data plate. The insignia location shall be shown on the model plans.

110-2-10-.08 Insignia disposition report. The manufacturer shall report to the Commissioner monthly the present disposition of all insignia received. The report shall be submitted on a form acceptable to the Commissioner and indicate the model number (designation), module(s) serial number, state (Georgia and the reciprocal state) insignia number(s), building square footage, agency insignia number(s), date of manufacture, and the name and address of the purchaser of the building (where known, the address where the building is installed).

110-2-10-.09 Insignia denial. Should inspection reveal that a manufacturer is not manufacturing buildings or components according to plans and the quality control procedures as approved by the Commissioner, and such manufacturer, after having been served with a notice setting forth in what respect the provisions of the plan approval have been violated, continues to manufacture units in violation of the plan approval, applications for new insignia shall be denied and the insignia previously issued for units in violation of the plan approval shall be confiscated. Upon satisfactory proof of compliance, such manufacturer may resubmit an Application for Insignia.

110-2-10-.10 Removal of insignia. In the event that any industrialized building bearing the state insignia is found to be in violation of the approved plans, the inspection agency or Commissioner shall remove the insignia on such defective unit and shall furnish the manufacturer, agency, dealer, and installer with a written statement of such violations. The manufacturer shall be required to correct the deficiencies and shall request an inspection to bring the industrialized building into compliance before the Commissioner shall issue a replacement insignia. Refer to Rule 110-2-13-.07 FIELD TECHNICAL SERVICE for charges for inspection.

110-2-10-.11 Alteration or conversion. Any unauthorized alteration or conversion made to an approved industrialized building prior to initial installation shall void the approval. The state insignia affixed to the building shall be returned to or be confiscated by the agency or the Commissioner.

110-2-10-.12 Manufacturer's component data plate. The manufacturer shall install on each component or package of components a data plate which indicates the limiting characteristics and design criteria of such components for determining how they can be installed and utilized within their capabilities.

110-2-10-.13 Manufacturer's unit data plate. The manufacturer shall install on all industrialized building units a data plate, which shall contain but not be limited to the following design information:

- (1) Name and address of the manufacturer
- (2) Manufacturer's identification (serial) number
- (3) Manufacturer's plan designation (model number/name)
- (4) State insignia number(s)

- (5) Occupancy classification
- (6) Fire rating of exterior walls
- (7) Construction classification
- (8) Maximum snow load (roof live load)
- (9) Maximum wind load (velocity)
- (10) Seismic design category
- (11) Individual Thermal resistance value (R-value) of walls, roof/ceiling and floors
- (12) Date of manufacture

The data plate shall be permanently mounted in a conspicuous location in the utility area or other area as approved by the Commissioner.

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110-2-11 CERTIFICATION OF EXISTING INDUSTRIALIZED BUILDINGS - REQUIREMENTS

110-2-11-.01 Application for certification. A person, firm or corporation may apply to the commissioner for certification of an existing industrialized building. The request shall be accompanied by plans and specifications and shall state the:

- (1) Proposed occupancy class
- (2) Construction type
- (3) Wind velocity in miles per hour
- (4) Floor loads
- (5) Roof live loads
- (6) Height (in stories)
- (7) Fire resistance of exterior walls
- (8) Individual Thermal resistance value (R-value) of walls, roof/ceiling and floors
- (9) Date of original construction, where known
- (10) The registration number of any existing insignia
- (11) The construction code standards used in the original construction, where known
- (12) The unit serial number, where known
- (13) All items not in substantial compliance with the current construction codes

Plans shall comply with Rule 110-2-8.

110-2-11-.02 Building plans. Building plans may be prepared from measurements and details of the existing building. Plans and specifications shall be evaluated as provided by Rule 110-2-8 for substantial compliance with the laws and current adopted construction codes.

110-2-11-.03 Building inspection. The building shall be inspected by an approved inspection agency for compliance with the approved plans. The building shall be inspected at a designated re-manufacturing site or at a location approved by the commissioner, other

than the proposed site of installation. All portions of the building, including concealed spaces, shall be made available for inspection, as requested by the inspection agency. The inspection agency may require inspections to be made during the re-manufacturing process or may require that portions be opened or made accessible.

110-2-11-.04 Current data plate. The building shall bear a data plate listing the current information as required by Rule 110-2-10-.12.

110-2-11-.05 Inspection report. The inspection agency shall report in writing to the commissioner whether the building complies with the approved plans. Any and all nonconformance shall also be noted in the report.

110-2-11-.06 Existing insignia and data plates. All existing state approval insignia and data plates shall be removed from the building by the inspection agency.

110-2-11-.07 Insignia application. Following receipt of inspection approval and the inspection report, the manufacturer shall make application for an insignia for each remanufactured industrialized building as required by these Rules. The application shall be submitted to the commissioner accompanied by the appropriate insignia fees as required by the fee schedule in these rules.

110-2-11-.08 Issuance of certification insignia. The commissioner shall issue an insignia of approval for re-manufactured industrialized buildings that have been re-manufactured after the effective date of these rules, which are sold, offered for sale or installed in the state of Georgia, with the exception of those which are approved and inspected by a local government, provided they have been approved and inspected and found to be in compliance with these rules. The issuance of insignia shall be conditioned on compliance with these rules by the re-manufacturer, and the findings of the inspections outlined above. A copy of the agency inspection report shall accompany the request. Insignia shall be applied by the inspection agency. The attachment of the Georgia insignia does not relieve the remanufacturer of responsibility for compliance with these rules and other applicable laws. Control of insignia shall be as required in Rule 110-2-10-.03 through Rule 110-2-10-.09. The commissioner does not guarantee the performance of any re-manufacturer or other agency.

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110-2-12 RECIPROCITY

110-2-12-.01 Reciprocal agreement. The commissioner may enter into agreement with other states for reciprocal approval of industrialized buildings when the commissioner determines that the standards and the administration of other states' programs are reasonably consistent with those of the Georgia program.

110-2-12-.02 Dividing fees. Reciprocity agreements may provide for dividing insignia fees between participating states.

110-2-12-.03 Rights reserved. The commissioner reserves the right to determine compliance of all units to be sold or installed in Georgia which have been inspected under a reciprocal agreement with another state.

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110-2-13 SCHEDULE OF FEES

110-2-13-.01 Building System Fees. The system filing fees for three-dimensional modules that either individually or when joined together form an industrialized building shall be \$500. This approval expires one year from the date of the Commissioner's approval. The renewal fee for any system shall be \$200 to extend the approval for a period of one year.

110-2-13-.01 New manufacturer and re-manufacturer application fee. The application fee shall be a one time fee for the application of new manufacturers and re-manufacturers and shall be \$100.

110-2-13-.02 Required revisions. Review of revisions to approved building systems to ensure compliance with newly adopted codes shall be without additional charges except as provided by Rule 110-2-13-.06.

110-2-13-.03 Model plan fee. The model design plan filing fee for three-dimensional modules that either individually or when joined together form an industrialized building shall be \$100. The fee for model design plans filed for record shall be \$20 for each model plan.

110-2-13-.04 Component fees. The plan and system filing fees for component systems shall be as follows:

(1) Structural Systems	\$100.00	
(2) Electrical Systems	\$40.00	(3) Plumbing
Systems	\$40.00	
(4) HVAC Systems	\$40.00	
(5) Total of All Systems	\$220.00	

110-2-13-.05 Agency review fee. Review fees for design approval, evaluation or inspection agencies shall be \$250 for one classification review, an additional \$150 for a second classification review and an additional \$100 for a third classification review. Approval will expire one year from the last approved date. The renewal fee shall be \$75 for each classification renewed.

110-2-13-.06 Excessive review. Depending on the complexity and sophistication of the system or model design plan, evaluation costs will be charged at a rate of seventy-five dollars (\$75) per work-hour when the time involved exceeds the filing fees listed above.

110-2-13-.07 Field technical service fees. Field technical service fees shall be charged at a rate of seventy-five dollars (\$75) per work-hour plus transportation and expenses as outlined by Georgia State Travel Regulations. Minimum time is one (1) hour.

110-2-13-.08 Insignia fee, new and re-manufactured buildings. The insignia fee for a new industrialized building or re-manufactured industrialized building shall be seventy-five dollars (\$75) per insignia.

110-2-13-.09 Insignia fee, Construction site office building. The insignia fee for a new construction site office building shall be fifty dollars (\$50) per insignia. The insignia fee for systems rehabilitated per Rule 110-2-10-.02(3) (2) shall be \$15.00 for each system rehabilitated.

110-2-13-.10 Insignia fee, manufactured for export from Georgia industrialized building. The insignia fee for a new manufactured for export from Georgia industrialized building shall be twenty-five dollars (\$25.00) per insignia.

110-2-13-.11 Insignia fee, components. The insignia fee for components shall be determined by either of two optional methods. The option shall be exercised by the manufacturer prior to the issuance of insignia. The optional method chosen shall apply to all components produced in a given factory. The minimum fee per order of component insignia must total ten dollars (\$10.00). The options are:

- (1) One-third of one percent of the manufacturer's current list price for each component with a minimum insignia fee of one dollar (\$1.00), or
- (2) One dollar and seventy-five cents (\$1.75) per 100 square feet of floor area or major fraction thereof, based upon the floor plan with the largest floor area produced in the factory, for each of the following sub-systems or portions thereof:
 - (a) Foundation
 - (b) Floor
 - (c) Exterior walls
 - (d) Interior walls
 - (e) Ceiling and/or roof

110-2-13-.12 Replacement insignia. The fee for insignia to replace those removed under Section 110-2-10-.09 shall be fifty percent (50%) of that required by Section 110-2-13-.08, through 110-2-13-.11.

110-2-13-.13 Non-refundable. The above fees are minimum and payable at the time of submittal of the application. All filing and review fees are non-refundable.

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110-2-14 APPEALS

110-2-14.01 Committee appointment. The commissioner shall appoint an appeals committee which shall consist of three (3) to five (5) members, one (1) of which shall be chosen from the State Codes Advisory Committee and one (1) of which shall be chosen from the Industrialized Buildings Advisory Committee.

110-2-14.02 Procedures for initiation. Any person or organization aggrieved by the application of these rules may initiate an appeal by writing to the Appeals Committee, Office of the Commissioner, within thirty (30) days following the date of action on which the appeal is based. The request shall contain:

- (1) The name and address of the appellant.
- (2) The names and addresses of all other persons likely to be involved.
- (3) A summary of the action from which the appeal is taken.
- (4) The grounds of disagreement with the action from which the appeal is taken.
- (5) A statement that the appellant desires a hearing or decision based on written argument and documents submitted.
- (6) The signature of the appellant or responsible officer if the appellant is an organization.
- (7) Additional documents as the appellant may consider pertinent.

110-2-14.03 Call of meeting. Upon receipt of a request, the commissioner shall call a meeting of the Appeals Committee to be held within forty-five (45) days of the request. The commissioner shall provide written notice of the time, date and place of the hearing to the appellant and all persons indicated in the request.

110-2-14.04 Evidence. Technical rules of evidence shall not be applicable and all relevant evidence of reasonable value may be received.

110-2-14.05 Ruling. A ruling of the committee shall require a majority vote of the committee members present. A record of the meeting, stating the committee's ruling and reasons therefore, shall be maintained for public review.

110-2-14.06 Notification of ruling. The commissioner shall notify the appellant of the ruling within ten (10) days after the final decision of the Appeals Committee. **110-2-14.07 Appeals of committee decision.** A final decision of the Appeals Committee may be appealed in the same manner specified in Chapter 13 of Title 50 of the Official Code of Georgia Annotated, to the same courts with the same rights and limitations specified in such chapter.

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End of Rules.