

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1250

Introduced by

Representatives Oban, Carlisle

Senators B. Stenehjem, Mutzenberger

1 A BILL for an Act to amend and reenact section 47-06-04.1 of the North Dakota Century Code,
2 relating to the maintenance responsibilities of mobile home storm shelter owners.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 47-06-04.1 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **47-06-04.1. Mobile home storm shelters - Placement and transfer of ownership.**

- 7 1. Upon approval of the mobile home park owner, the owner of a mobile home
8 located in the park may construct a storm shelter in the mobile home park. The
9 approval ~~shall~~ must be in writing and ~~shall set forth~~ must include the type, location,
10 and use of the shelter, and ~~shall also include~~ an agreement between the park
11 owner and the mobile home owner concerning ownership and maintenance of the
12 shelter.
- 13 2. Notwithstanding section 47-06-04, the agreement between the owner of the mobile
14 home and the park owner ~~shall~~ must provide that the owner of the mobile home is
15 the owner of the shelter and may remove the shelter provided the land is returned
16 to its original condition during any time that person owns the mobile home.
- 17 3. The shelter owner may ~~also~~ transfer ownership of the shelter to either a person
18 who purchases the mobile home or to the mobile home park owner. The transfer
19 must be in writing; must include the type, location, and use of the shelter; must
20 include the maintenance responsibilities of the parties; and must be signed by both
21 parties. If a mobile home owner transfers the shelter to a purchaser of the mobile
22 home, the terms of the transfer must be the same as the terms of the agreement
23 between the park owner and the mobile home owner required under subsection 1.

- 1 a. If a suitable price cannot be agreed upon with the mobile home park owner,
2 the shelter owner is deemed to have transferred the ownership and
3 maintenance responsibilities of the shelter to the park owner without cost,
4 unless the shelter is removed or the shelter is transferred to a purchaser of
5 the mobile home as provided in this section.
- 6 b. If the park owner is unwilling to assume ownership of the shelter, ~~he~~ the park
7 owner may require the mobile home owner to remove the shelter and return
8 the land to its original condition.
- 9 4. The park owner ~~shall~~ is not ~~be~~ liable for any injury or damages ~~which~~ that may
10 occur to the mobile home owner as a result of the installation or use of the mobile
11 home storm shelter.
- 12 5. All shelters must meet with the approval of local governing bodies.