

HB 588 - AS INTRODUCED

2021 SESSION

21-0020

11/04

HOUSE BILL **588**

AN ACT relative to building codes for tiny houses.

SPONSORS: Rep. Testerman, Merr. 2; Rep. Maggiore, Rock. 22; Rep. Mason, Merr. 2

COMMITTEE: Municipal and County Government

ANALYSIS

This bill defines tiny houses and provides for the authority and requirements for municipal regulation.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to building codes for tiny houses.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Tiny Houses. Amend RSA 674 by inserting after section 73 the following
2 new subdivision:

3 Tiny Houses

4 674:74 Definition. As used in this subdivision, "tiny house" means a structure intended for year-
5 round occupancy that meets the requirements of the state building code, as defined in RSA 155-A,
6 and is of a smaller square footage than may be normally permitted by local zoning requirements, and
7 may include single-room structures, and which is built on either a permanent foundation or on a
8 chassis that is suitable for registration for transport on public highways of the state.

9 674:75 General Requirements.

10 I. All houses that meet the definition of "tiny house" in RSA 674:74 shall contain facilities
11 for sleeping, eating, cooking, and sanitation.

12 II. All municipal and state building codes for single family dwelling units shall apply to tiny
13 houses including, but not limited to, zoning, fire, safety, emergency vehicle access, attachments to
14 electricity, plumbing, and public or private sewer systems, if required.

15 674:76 Requirements for Tiny Houses on Wheels. Any tiny house on wheels shall be mounted
16 on a chassis that is licensed, registered with state and local governmental agencies, and inspected.
17 A tiny house on wheels shall also have a seal from a third party inspection company authorized to
18 provide such certification for tiny homes or recreational vehicles, which indicates that the structure
19 has successfully passed inspection at specific stages of construction for compliance with safety,
20 structure, and energy efficiency standards. Such seal shall be permanently affixed to the tiny house.
21 A local engineer shall certify the connection of the tiny house to the chassis.

22 674:77 Individual Tiny Houses.

23 I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this
24 chapter shall allow tiny houses as a matter of right in all zoning districts that permit single family
25 dwellings, and may allow in its discretion tiny houses in all other districts.

26 II. If a municipality permits detached accessory dwelling units pursuant to RSA 674:73, it
27 shall permit a single tiny house as a detached accessory dwelling unit. Municipalities allowing tiny
28 houses pursuant to this paragraph may require additional lot area if it has such a requirement for
29 detached accessory dwelling units, and may require the tiny house meet the municipality's zoning
30 dimensional standards for detached accessory dwelling units if such standards exist. A property
31 may include either an accessory dwelling unit or a tiny house, but not both.

1 III. A tiny house used for habitation shall be connected to both a public water system or a
2 private well and to a public sewer system or a subsurface wastewater disposal system that has been
3 approved by the department of environmental services. Alternatively, a tiny house used for
4 habitation may include self-contained drinking water and sanitary systems. A self-contained waste
5 water system may not discharge any waste or liquid.

6 IV.(a) If built on a chassis, a tiny house used for habitation shall be taxable as real estate,
7 but shall not otherwise be regarded as real property.

8 (b) If a tiny house is located on the land of another, the owner of the tiny house shall be
9 liable for property taxes on the tiny house according to RSA 72:7-a unless exempted under RSA 72:7-
10 d.

11 (c) A tiny house may be deemed a unit of workforce housing for purposes of satisfying
12 the municipality's obligation under RSA 674:59 if the unit meets the criteria in RSA 674:58, IV for
13 rental units.

14 (d) When a tiny house on wheels is removed from a property, the owner of such tiny
15 house shall notify the municipality in order to remove the property tax liability.

16 674:78 Tiny House Parks. Municipal zoning ordinances shall also make provision for locating
17 tiny homes in group park settings of at least 4 units, in which no more than one of the units may be
18 the park property owner. Units shall be adequately spaced to allow for access by firefighting
19 apparatus. The overall lot size shall be at least 10,000 square feet, but if the park is not served by
20 public water and sewer, then the park or units shall meet the minimum overall lot-size standards for
21 a community system. The property owner shall have discretion to use either individual lots or a
22 single lot and either individual or community wastewater and drinking systems.

23 2 Effective Date. This act shall take effect 60 days after its passage.