



# HOUSE BILL 466: Allow Temporary Dwellings During Construction.

2023-2024 General Assembly

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**Committee:** House Local Government - Land Use, Planning and Development. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House **Date:** April 20, 2023

**Introduced by:** Reps. Crutchfield, Johnson, McNeely, **Prepared by:** Howard Marsilio  
Balkcom Committee Counsel

**Analysis of:** First Edition

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**OVERVIEW:** *House Bill 466 would require counties to issue permits for the use of temporary dwellings meeting certain requirements on residential construction sites.*

**CURRENT LAW:** There are no current statutes that apply to the use of temporary dwellings on residential construction sites.

**BILL ANALYSIS:** The bill would require counties to permit the use of temporary dwellings that are not affixed to property, including recreational vehicles, during the construction of a permanent residence on the same parcel. Temporary dwellings can only be placed on the parcel when:

- Approved permits are secured for the permanent dwelling.
- The temporary dwelling meets minimum habitability and safety standards applicable to the temporary dwelling.
- The temporary dwelling has access to power and meets sanitary conditions.
- The temporary dwelling must be available for inspection consistent with building code enforcement provisions to verify ongoing compliance.
- The parcel has a permitted driveway access installed.

The county is authorized to charge a fee for the permit, and may place additional restrictions on permit issuance, which include:

- Requiring the subject parcel be at least 1 acre in size.
- Requiring that financing has been secured for the permanent residential dwelling construction.
- Requiring biennial renewal of the temporary dwelling permit.
- Limiting the duration of the temporary dwelling permit based on the issuance of a certificate of occupancy, certificate of compliance, or temporary certificate of occupancy.
- Limiting one active permit per subject parcel.

A county may revoke a temporary dwelling permit if the building permit issued for the permanent residential dwelling has been revoked or has expired or if the temporary dwelling fails to meet the criteria imposed prior to the issuance of the temporary permit.

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The bill would also clarify that nothing in this new law would affect the validity of applicable nuisance ordinances, private covenants, or contractual agreements among property owners, and that temporary dwelling permits are exclusively regulated by the issuing county.

**EFFECTIVE DATE:** This act would be effective when it becomes law.