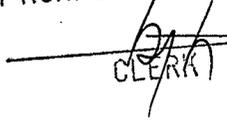


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IN THE SUPREME COURT  
OF THE STATE OF WASHINGTON

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PAUL LAWSON,

Petitioner,

v.

CITY OF PASCO, a Municipal Corporation of the  
State of Washington,

Respondent.

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CITY OF PASCO'S SUPPLEMENTAL BRIEF

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## **I. INTRODUCTION**

The decision of the Court of Appeals, Division III should be affirmed because it correctly answers the narrow issue presented in this matter: Is the City of Pasco permitted under the police powers to preserve lots in residential parks for mobile and manufactured homes?

The Court of Appeals answered in the affirmative and correctly concluded that there is no preemption of the City of Pasco's right under the police powers to regulate who occupies the available spaces in Petitioner Paul Lawson's residential park. In fact, the 2008 Legislature actually charged governments like the City of Pasco to step up and preserve these spaces for mobile/manufactured home use – which is exactly what Pasco Municipal Code [PMC] 25.40.060 does.

What is more, the Mobile/Manufactured Home Landlord Tenant Act [MHLTA] requires landlords of residential or mobile home parks like Mr. Lawson to comply with local ordinances such as PMC 25.40.060. Thus, as the Court of Appeals correctly concluded, the legislature conferred concurrent jurisdiction on local governments in this area and no preemption exists. The Court of Appeals decision should be affirmed.

## **II. ISSUE PRESENTED FOR REVIEW**

Mr. Lawson offers two issues presented for review, but they are essentially the same issue stated two different ways – namely, is

PMC 25.40.060 preempted pursuant to Article XI, § 11 of the Washington State Constitution.

### III. SUPPLEMENTAL STATEMENT OF THE CASE

The City of Pasco only supplements the statement of the case on a couple of key, specific facts that need to be clarified.

Contrary to Mr. Lawson's overreaching characterization in his *Petition for Review* of owning a "mobile home park", in Pasco there are either "residential parks" tailored specifically to meet the need of manufactured and mobile homes (PMC 25.40.010); or recreational vehicle parks which are likewise uniquely tailored to meet the needs of recreation vehicles – including restrooms, shower facilities, washrooms, dump stations and watering stations not available in residential parks (PMC 25.69.060).

As the owner of a Residential Park, Lawson is subject to PMC 25.40.060, which prohibits recreational vehicle sites within a residential park:

No recreational vehicle sites for occupancy purposes shall be permitted within any residential park.

CP 79.

Pasco defines a recreational vehicle as a vehicle or portable structure built and *designed* for temporary occupancy – whether actually

occupied permanently or not. CP 79. The definition specifies that such vehicles contain plumbing, heating, and electrical systems which are operated with or without connection to outside utilities and include, but are not limited to, campers, motor homes, camping trailers, tent trailers, fifth wheels and travel trailers. CP 79.

Thus, with PMC 25.40.060 the City of Pasco has reserved residential park lots for mobile and manufactured homes. The City has also provided recreational vehicle parks for recreational vehicles. However, the scope of PMC 25.40.060 is limited to regulating available lots in residential parks.

Under the exercise of its police powers the City of Pasco had two very distinct public policy and public safety reasons for enacting PMC 25.40.060. One of these reasons was, as discussed in detail below, that the lot size, hook up, and other physical requirements for mobile/manufactured homes and recreational vehicles are very different. Thus public safety supports having two different types of parks and limiting each residence to its specific park.

The other reason was that the City of Pasco recognized that mobile and manufactured homes for low income and elderly residents were being eliminated by recreational vehicles occupying lots in residential parks, rather than recreation vehicle parks. CP 13. Thus, the City also had a

legitimate public policy and local interest in preserving these housing options for low income and elderly residents. CP 13.

Enter Mr. Lawson and his residential park. Despite the fact that his lot sizes and physical requirements were specific for mobile/manufactured homes, Mr. Lawson was leasing lots to recreational vehicles – some of which were used for permanent residences. CP 46,48. Thus, this is not a case of discrimination against mobile or manufactured homes and mobile home parks, as Mr. Lawson attempts to argue. This is a case involving the City of Pasco's right to preserve lots for these very dwellings in residential parks by requiring all recreational vehicles to go elsewhere – to recreational vehicle parks.

The remaining procedural facts are accurately stated in the Court of Appeals briefing.

#### IV. ARGUMENT

The decision of the Court of Appeals should be affirmed because the Court properly applied and analyzed both field and conflict preemption with respect to PMC 25.40.060 and the specific statutes, case law, and public policy considerations that control in this case. The broader or more general considerations regarding mobile homes raised by Mr. Lawson on review do not apply or control in this case because they all address *mobile/manufactured homes* and PMC 25.40.060 only regulates the very

different recreational vehicles. Thus, the Court of Appeals was correct in limiting its analysis to the actual, specific facts of this case and its decision should be affirmed.

A. **The 2008 Legislature Supports and Encourages Local Governments to Enact Laws Like PMC 25.40.060 – And Thus Has Not Preempt the Field.**

Mr. Lawson begins his Petitioner for Review by pointing out that the 2008 Legislature found preservation of *mobile home* communities to be an issue of substantial public importance. *See Petition for Review, p. 4-6*. However, the portion of Laws of 2008, ch. 116, §1(1) that Mr. Lawson quotes actually underscores the very public policy considerations that the City of Pasco sought to address and remedy with PMC 25.40.060 – the decrease and loss of *mobile/manufactured home* lots to other uses, like recreational vehicles.

As the Legislature noted, mobile/manufactured home lots such as those in Mr. Lawson's residential park are disappearing and becoming more and more scarce. The Legislature recognized that this problem was caused at least in part by these lots being converted to other uses and thus leaving low vacancy rates for mobile/manufactured homes. Laws of 2008, ch. 116, §1(1)(a). The Legislature also expressly stated that preservation of these lots in manufactured/mobile home communities "[s]hould be a goal of all housing authorities and local governments." Id.

The City of Pasco has already determined that these "other uses" and "low vacancy rates" noted by the Legislature in 2008 are tied directly to residential park owners such as Mr. Lawson leasing space to recreational vehicles. The City of Pasco confronted this problem by enacting PMC 25.40.060 to reserve residential park lots for mobile/manufactured homes and prohibiting recreational vehicles from occupying these dwindling yet necessary sites. Thus, the City of Pasco and PMC 25.40.060 do not conflict with but rather conform to and uphold the 2008 Legislature's determination that preservation of *mobile and manufactured home* lots is an issue of substantial public importance. The Court of Appeals' decision holding PMC 25.40.060 to be constitutional also supports this important public policy and should be affirmed.

**B. City of Pasco is Not Preempted From Regulating Residential Park Occupancy – Especially When It Preserves Those Parks for Mobile/Manufactured Home Use.**

Having first pointed out that the 2008 Legislature wants regulation of mobile home communities to be a local government goal and priority, it then seems inconsistent for Mr. Lawson to argue that the legislature has fully preempted this field and thus local governments cannot regulate therein. However, that is the position Mr. Lawson takes in arguing both field and conflict preemption.

Regularly enacted municipal ordinances or codes are presumed to be constitutional. Homes Unlimited, Inc. v. City of Seattle, 90 Wn.2d 154, 158, 579 P.2d 1331 (1978), quoted in Weden v. San Juan Cy, 135 Wn.2d 678, 690, 958 P.2d 273 (1998). A party challenging the constitutionality of a municipal ordinance or code bears the heavy burden of showing otherwise. Brown v. City of Yakima, 116 Wn.2d 556, 559, 807 P.2d 353 (1991).

The Washington State constitution expressly provides that any "county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with the general laws." Article XI, § 11; quoted in Weden, 135 Wn.2d at 690. This constitutional grant of authority "is a direct delegation of the police power as ample within its limits as that possessed by the legislature itself." Hass v. City of Kirkland, 78 Wn.2d 929, 932, 481 P.2d 9 (1971); quoted in Weden, 135 Wn.2d at 690-91.

Thus, under article XI, §11's "ample" grant of the police powers, the City of Pasco has as much authority as the legislature to enact PMC 25.04.060 and such regulation shall be presumed constitutional unless Mr. Lawson can meet the heavy burden of proving it conflicts with general laws. Id. "Article XI, § 11 requires a local law to yield to a state statute on the same subject matter if that statute 'preempts the field, leaving no room

for concurrent jurisdiction,' or 'if a conflict exists such that the two cannot be harmonized.'" Weden, 135 Wn.2d at 693 (quoting Brown, 116 Wn.2d at 559).

The Court of Appeals conducted a detailed analysis of both field and conflict preemption and concluded that the statutory scheme at issue contemplated and provided for local government regulation of residential parks. Lawson v. City of Pasco, 144 Wn. App. 203 (2008). Thus, the Court correctly held that there was concurrent jurisdiction and no preemption. Id. As the Court's opinion clearly shows, its decision was based directly on the express language of the MHLTA.

"Enacted in 1977, the MHLTA regulates and determines the legal rights, remedies, and obligations arising from a rental agreement between a mobile home lot tenant and a mobile home park landlord." Community Ass'n v. Lake Echo Assoc., 134 Wn. App. 210, 222, 134 Wn. App. 210 (2006). Mr. Lawson attempts to transfer this regulation of landlord-tenant rental agreements or "tenancies" into State regulation of *who* may occupy a lot in a residential park. However, as the Court of Appeals correctly concluded, the MHLTA is silent as to this issue and instead leaves it to local government regulation.

While the MHLTA regulates rental agreements between landlords and tenants in mobile home parks, those rental agreements are subject to

and first must comply with all local codes and ordinances – such as PMC 25.40.060. RCW 59.20.120 expressly states that it **SHALL** be the duty of the landlord to "[c]omply with codes, statutes, ordinances, and administrative rules applicable to mobile home parks." RCW 59.20.130(1). In addition, RCW 59.20.080 expressly states that a landlord shall not terminate or fail to renew a tenancy **EXCEPT FOR** failure of the tenant to comply with local ordinances or state laws, or failure of the tenant to comply with obligations imposed by applicable provisions of municipal, county and state codes, statutes, ordinances, and regulations. RCW 59.20.080(d)&(i).

Accordingly, both landlords and tenants – and the "tenancies" – in a mobile home park or residential park such as Mr. Lawson's are *subject to and shall comply with* local codes and ordinances applicable to the park. PMC 25.40.060 is just such a code and rather than being preempted by the MHTLA, that act *requires* compliance therewith. Id.

Thus, based on the actual language of the MHTLA, the Court of Appeals correctly concluded there was no preemption but rather concurrent jurisdiction. The Court of Appeals' decision should be affirmed on review.

The legislature's intent of these complementary roles is illustrated by other statutes and State regulations. See Growth Management Act,

RCW 36.70A (recognizing the city's authority to preserve, improve and develop manufactured housing for all economic segments of the community); RCW 35.21.684 (recognizing the city's authority to determine the location of the manufactured home parks or housing communities); WAC 296-150I-0370 (required installation inspections); WAC 296-150M-0020 (building site inspections); RCW 43.22A.110 (process of home installation applications and permitting).<sup>1</sup>

**C. Under the Specific Language of the MHLTA, Mr. Lawson's Arguments for Preemption Fail.**

There is no statute that expressly preempts PMC 25.40.060. Mr. Lawson does not argue otherwise, but rather contends that RCW 59.20.040 "carries preemptive effect" and asks the Court to look to the "entire range of state activity in connection with mobile homes" and various case law to find implied preemption. *See Petition for Review.*

However, each of these arguments misconstrues what the actual issue is here – whether the City of Pasco can preserve residential parks for mobile/manufactured homes by precluding recreational vehicles.

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<sup>1</sup> Mr. Lawson mentions that RCW Chapters 35.21, 35A.21, and 36.01 prohibit discriminating against mobile homes. *See Petition for Review, p. 9.* These statutes prohibit a city from discriminating against a consumers' placement or use of a home "in such a manner that is not equally applicable to all homes." RCW 35.21.684; 35A.21.312; 36.01.225. Mr. Lawson has failed to establish or argue any such discrimination – he instead limits his argument to preemption. However, as the RCWs and WACs cited herein state, the City of Pasco has the authority to decide who resides in these residential parks and to regulate installation and location as to ALL homes through well established zoning and land use statutes. PMC 25.40.060 does no more than this.

1. RCW 59.20.040 DOES NOT PROHIBIT OR  
CONFLICT WITH PMC 25.04.060.

Mr. Lawson argues that the Court of Appeals noted but failed to analyze RCW 59.20.040 which he contends "carries preemptive effect".

*See Petition for Review, p. 11.* This statute states in relevant part:

This chapter shall regulate and determine legal rights, remedies, and obligations arising from any rental agreement between a *landlord and a tenant* regarding a mobile home lot....All such rental agreements shall be unenforceable to the extent of any conflict with any provision of this chapter. (emphasis added)

RCW 59.20.040. Mr. Lawson then goes on to argue that this statute prohibits a Landlord from excluding recreational vehicles or park models in his leases and thus a municipality cannot prohibit recreational vehicles from mobile home parks because the MHLTA permits it. *See Petition for Review, p. 11.*

The actual language of the statute does not say what Mr. Lawson argues – RCW 59.20.040 does not address *who* a landlord must rent to and thus does not prohibit a landlord from excluding recreational vehicles, either in his park or on his leases. In fact, nothing in the MHLTA addresses or dictates *who* a landlord must or even should rent to. It only governs those leases that are made *after* the landlord decides to lease a lot to someone.

RCW 59.20.030(6) actually states that in order for the park to be a mobile home park under the MHLTA, the landlord must rent to two or more mobile homes OR manufactured homes OR park models. The result of this express language is that, under the MHLTA the landlord can therefore choose to rent to **just** mobile homes, **just** manufactured homes or **just** park models and the MHLTA will still apply, so long as there are at least two of these specified structures in the park.

Mr. Lawson is therefore correct in stating that the MHLTA *authorizes* tenancies involving park models<sup>2</sup>, but it does not *require* them and thus does not require that which PMC 25.40.060 prohibits.<sup>3</sup>

Thus, the Court of Appeals did not fail to sufficiently or correctly analyze RCW 59.20.040 as argued by Mr. Lawson. Rather, the Court looked at the MHLTA as a whole<sup>4</sup> and correctly concluded that the MHLTA and PMC 25.40.060 operated concurrently to achieve the preservation of residential and mobile home parks for mobile/manufactured homes – as the 2008 Legislature envisioned and encouraged. The Court of Appeals' decision should therefore be affirmed.

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<sup>2</sup> See *Petition for Review*, p. 13.

<sup>3</sup> See *Edmonds Shopping Ctr. Assocs. v. Edmonds*, 117 Wn. App. 344, 355, 71 P.3d 233 (2003) (stating that the test for determining conflict "is whether the ordinance permits that which the statute forbids, or forbids that which the statute permits.")

<sup>4</sup> See *Community Ass'n*, 134 Wn. App. at 222 (stating each statute should be read with others to achieve harmonious and unified statutory scheme).

2. PMC 25.40.060 CONSTITUTIONALLY PROTECTS PUBLIC SAFETY CONCERNS.

Perhaps the paramount reason for the distinction between residential parks and recreational vehicle parks is public safety. Mr. Lawson assumes that manufactured homes, park models and recreational vehicles are interchangeable as residential units.<sup>5</sup> However, each require unique settings to achieve the goal of safe, affordable housing – and this may be best illustrated by the process of placement.

All manufactured homes must meet the stringent construction and safety standards established by the Federal Government. 42 U.S.C. sec. 5401 et seq. & 24 CFR 3282 et seq. In addition, the site where the home is to be located must meet specific pad requirements, including support piers and earthquake resistant bracing systems that are required anchoring. RCW 43.22A.010.

The manufactured home also must be installed by a trained and certified mobile home installation service, RCW 43.22.440; must have permanently installed water lines and permanent sewage line connections, WAC 296-150I-0310; and it must be inspected by the local building official to verify that water, waste and gas lines have been tested and

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<sup>5</sup> Mr. Lawson ignores the substantial physical differences between manufactured homes, park models and recreational vehicles. RCW 43.22.340 addresses those differences, which are summarized in Attachment A hereto.

passed. Also, electrical connections must be performed by a journeyman or specialty electrician and then inspected by the Department of Labor and Industries. WAC 365-210-030; WAC 296-150I-0310.

Finally, the manufactured home must then be skirted in such a manner as to provide for adequate ventilation and access. Then and only then is the owner safe to assume occupancy.

Recreational vehicles, on the other hand, are exempt from the Federally required construction and safety standards. 24 CFR 3282.8(g). There are no site requirements for where the recreational vehicle must be parked and the recreational vehicle owner is free to herd the vehicle into any pre-assigned site – which may or may not even have a hard or level surface. Installation then consists of the owner leveling the unit and connecting the electricity through an extension cord, water through a garden hose, and sewage through a flexible hose into a sewage stand pipe. None of this has to be inspected and as soon as the owner is through, he or she can assume occupancy.

As this illustrates, the construction, placement and installation requirements for manufactured homes and recreational vehicles are drastically different. The City of Pasco has addressed the unique needs of each of these residences by establishing residential parks specifically suited for manufactured homes (PMC 25.40) and recreational vehicle

parks (PMC 25.69) specifically designed to address the needs of these owners.

The end result is that recreational vehicle parks cannot handle the installation and placement requirements for manufactured homes and residential parks do not have the necessary facilities for recreational vehicles – specifically, no showers, laundry facilities or dumping stations as needed given the limitations of recreational vehicles.

Thus, PMC 25.40.060 upholds public safety by ensuring that the lots in residential parks such as Mr. Lawson's are only occupied by the residences they were specifically designed for – mobile/manufactured homes. This was a constitutional exercise of the City of Pasco's police powers and the Court of Appeals decision upholding PMC 25.40.060 as constitutional should be affirmed.

3. NONE OF THE OTHER STATUTES RELIED UPON BY MR. LAWSON CONFLICT PROHIBIT OR CONFLICT WITH PMC 25.40.060.

Mr. Lawson also argues implied preemption based on the "entire range of state activity in connection with mobile homes." *Petition for Review*, p. 8. Arguably, two of the statutory Chapters cited by Mr. Lawson also apply to recreational vehicles under the definitions provided in RCW 59.20.030. However, neither of these Chapters in Mr. Lawson's

"range of state activity" have anything to do with regulating *who* occupies lots in mobile home or residential parks.

Instead, RCW Chapter 59.22 is concerned with converting mobile home parks to resident ownership, RCW 59.22.010; and RCW Chapter 59.30 provides dispute resolution assistance for legal conflicts that arise between mobile home park landlords and tenants – *after occupancy has already commenced*. RCW 59.30.010.

Mr. Lawson also points to RCW Chapter 43.22 which regulates the field of construction standards for *mobile homes*. This RCW Chapter is even farther afield from the recreational vehicles at issue here, because it sets standards and requirements that do not apply to these residences. What is more, the case relied upon by Mr. Lawson specifically holds that RCW Chapter 43.22 *does not preempt local land use regulation of where these structures may be located*. See Snohomish Cy v. Thompson, 19 Wn. App. 768, 771, 577 P.2d 627 (1977). (recognizing that "the State's preemption of the field with respect to mobile home building standards does not cut across the powers of local governments to regulate the siting of mobile homes under land use regulations.")

Thus, while Snohomish Cy does not directly address regulation by the State of recreational vehicles, the holding therein concludes that state regulation of construction standards DOES NOT preempt land use

regulations for siting or location. Id. This directly contradicts Mr. Lawson's argument that these broader statutes regarding mobile homes should somehow imply preemption of the City of Pasco's constitutional ability to regulate where recreational vehicles can and cannot be located.

Thus, the broader "range of activity" argued by Mr. Lawson does not address, let alone establish, State preemption of the specific field regulated by PMC 25.40.060. Given the high standard for challenging the constitutionality of municipal ordinances, Mr. Lawson has failed to show preemption or any conflict between PMC 25.40.060 and the MHLTA or any other statute.<sup>6</sup>

Under the specific facts and issues of this case, the Court of Appeals was correct in concluding no preemption exists and upholding PMC 25.40.060 as constitutional. The Court's decision should be affirmed.

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<sup>6</sup> See Edmonds Shopping Ctr. Assocs. v. Edmonds, 117 Wn. App. 344, 355, 71 P.3d 233 (2003) (stating that a person challenging the constitutionality of a statute or ordinance "bears the burden of proving beyond a reasonable doubt that it is unconstitutional.")

4. THE CASE LAW RELIED UPON BY MR. LAWSON DOES NOT APPLY TO THE SPECIFIC FACTS OF THIS CASE AND DOES NOT ESTABLISH PREEMPTION.

Finally, Mr. Lawson argues that the Court of Appeals failed to "reference" or "cite" recent decisions regarding conflict preemption. *See Petition for Review, p. 4, 14.* However, none of the cases cited or relied upon by Mr. Lawson for this argument deal with either the MHLTA or regulation of mobile home parks and/or recreational vehicle sites. *See Weden v. San Juan Cy*, 135 Wn.2d 678, (upholding an ordinance banning jet skis because it was not preempted by State laws for registering vessels); *Parkland Light & Water Co. v. Tacoma-Pierce Cy Board of Health*, 151 Wn.2d 428, 90 P.3d 37 (2004) (invalidating a resolution requiring fluoride in water because it was preempted by State law expressly granting that authority to water districts); *Biggers v. City of Bainbridge Island*, 162 Wn.2d 683, 169 P.3d 14 (2007) (invalidating a moratoria on private shoreline development because it was preempted by State constitutional authority over shorelines, the public trust doctrine, and the Shoreline Management Act); *Edmonds Shopping Ctr*, 117 Wn. App. 344 (upholding one section of an ordinance that banned card rooms pursuant to statutory authority but invalidating other section seeking to limit scope of gambling, since State law has preempted the scope of

gambling); Housing Authority v. City of Pasco, 120 Wn. App. 839, 86 P.3d 1217 (2004) (invalidating ordinances by City to deactivate housing authority because preempted by State statute already providing deactivation process).

All of the above cited cases provide general analysis of preemption law and requirements under sets of facts unrelated to this case. Mr. Lawson does not argue that any of these cases are similar or related to the instant case and has failed to establish that any of that case law actually relied upon by the Court was incorrect or resulted in an erroneous conclusion.

What is more, none of the cases cited above were decided *after* the Court of Appeals decision was published, and thus none of them constitutes new or more recent law that might change or impact the Court of Appeals' decision. The bottom line is that these additional cases do not establish any error or grounds for overturning the Court of Appeals' decision and the mere fact that they were not included in the published opinion does not mean the decision should be reversed.

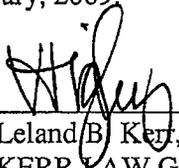
Instead, the Court of Appeals adequately and correctly applied the law for preemption under Article XI, §11 and its decision should be affirmed.

## V. CONCLUSION

The Court of Appeals' decision upholding PMC 25.40.060 as constitutional should be affirmed. PMC 25.40.060 serves the greater public good by preserving dwindling lots in residential parks for mobile/manufactured homes. The MHLTA confirms concurrent jurisdiction on the City of Pasco for regulating these residential parks and thus PMC 25.40.060 is a constitutional exercise of the City of Pasco's police powers. There is no preemption under broader considerations as urged by Mr. Lawson and the Court of Appeals correctly reached all of the above conclusions after careful and complete analysis under the applicable law. Its decision should therefore be affirmed.<sup>7</sup>

DATED this 5<sup>th</sup> day of February, 2009

By: \_\_\_\_\_

  
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<sup>7</sup> By the time this case is argued, the question of preemption will have been resolved through either the adoption or rejection of Proposed HB 1227 (H-0248.2). This piece of legislation seeks to prohibit precisely what PMC 25.40.060 does – the banning recreational vehicles from mobile home parks. Thus, preemption will either be established by adoption of this bill or defeated by its rejection.

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**CERTIFICATE OF SERVICE**

BY RONALD R. CARPENTER

I HEREBY CERTIFY that on the 5<sup>th</sup> day of February, 2009, I  
~~caused to be served a true and correct copy of the foregoing reply brief~~  
REPLY BRIEF as follows:

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# **Attachment A**

## SFR, RPT and RV CONSTRUCTION STANDARDS - COMPARISON

Data compiled by Mitch Nickolds, CBO - Building Official – City of Pasco

CODE→  STANDARD ↓	SFR 2006 International Residential Code Scope: 1 and 2 family dwelling construction.	RPT 2005 Recreational Park Trailer Standard Scope: Fire and life safety criteria and plumbing for park trailers	RV NFPA 1192 Standard on Recreational Vehicles Scope: Fire and explosion protection for recreational vehicles manufactured after 2005.
Adopted by Washington State Building Code Council?	Yes	No	No
Requires construction, moving or placement permits & inspections ?	Yes	Yes	No
Requires ceiling, floor and wall insulation?	Yes	Yes	No
Establishes criteria for habitable space (room dimension/height)?	Yes	Yes	No
Establishes structural design criteria?	Yes	Yes	No
Requires egress doors/windows sized to accommodate rescuers?	Yes	No	No
Requires resistance to elements, wind and snow loads?	Yes	Yes	No
Requires anchoring to ground or foundation?	Yes	Yes	No
Requires “sleeping” space or rooms ?	Yes	Yes	No
Requires State energy code and indoor air quality compliance?	Yes	No	No