

4. Contracts made by a city of less than ~~three~~ ten thousand population, upon competitive bid in writing, publicly invited and opened.

Sec. 2. Section three hundred seventy-two point thirteen (372.13), subsection eight (8), Code 1979, is amended to read as follows:

8. By ordinance, the council shall prescribe the compensation of the mayor, council members, and other elected city officers, but a change in the compensation of the mayor shall not become effective during the term in which the change is adopted, and the council shall not adopt such an ordinance changing the compensation of the mayor or council members during the months of November and December immediately following a regular city election. A change in the compensation of council members shall become effective for all council members at the beginning of the term of the council members elected at the election next following the change in compensation. No Except as provided in section one (1) of this Act, an elected city officer shall not receive any other compensation for any other city office or city employment during that officer's term of office, but may be reimbursed for actual expenses incurred. However, if the mayor pro tem performs the duties of the mayor during the mayor's absence or disability for a continuous period of fifteen days or more, the mayor pro tem may be paid for that period such compensation as determined by the council, based upon the mayor pro tem's performance of the mayor's duties and upon the compensation of the mayor.

Approved May 20, 1980

CHAPTER 1126
CITY HOUSING CODE

H. F. 2536

AN ACT relating to housing in cities, by requiring cities to establish a housing code or be subject to the uniform housing code, establishing an interim committee to study housing codes and related areas, repealing the state housing law and authorizing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Chapter three hundred sixty-four (364), Code 1979, is amended by adding the following new section:

NEW SECTION. CITY HOUSING CODES.

1. A city with a population of fifteen thousand or more may adopt by ordinance the latest version of one of the following housing codes before January 1, 1981:

a. The uniform housing code promulgated by the international conference of building officials.

b. The housing code promulgated by the American public health association.

c. The basic housing code promulgated by the building officials conference of America.

d. The standard housing code promulgated by the southern building code congress international.

e. Housing quality standards promulgated by the United States department of housing and urban development for use in assisted housing programs.

A city which has adopted a housing code listed in this section before January 1, 1981, is no longer subject to chapter four hundred thirteen (413)* of the Code.

2. Every city with a population of fifteen thousand or more which has not adopted another housing code under this section by January 1, 1981, is subject to and shall be considered to have adopted the uniform housing code promulgated by the international conference of building officials, as amended to January 1, 1980. A city which reaches a population of fifteen thousand, as determined after the effective date of this Act, has six months after such determination to comply with this section.

3. A city which adopts or is subject to a housing code under this section shall adopt enforcement procedures, which shall include a program for regular rental inspections, rental inspections upon receipt of complaints, and certification of inspected rental housing, and may include but are not limited to the following:

a. A schedule of civil penalties or criminal fines for violations.

b. Authority for the issuance of orders requiring violations to be corrected within a reasonable time.

c. Authority for the issuance of citations pursuant to sections eight hundred five point one (805.1) through eight hundred five point five (805.5) of the Code upon a failure to satisfactorily remedy a violation.

d. Authority, if other methods have failed, for an officer to contract to have work done as necessary to remedy a violation, the cost of which shall be assessed to the violator and constitute a lien on the property until paid.

e. An escrow system for the deposit of rent which will be applied to the costs of correcting violations.

f. Mediation of disputes based upon alleged violations.

g. Injunctive procedures.

The enforcement procedures shall be designed to improve housing conditions rather than to displace persons from their homes.

h. Authority by ordinance to provide that no rent shall be recoverable by the owner or lessee of any dwelling which does not comply with the housing code adopted by the city until such time as the dwelling does comply with the housing code adopted by the city.

4. A city which is subject to the uniform housing code or which adopts another housing code under this section may provide reasonable variances for existing structures which cannot practicably meet the standards in the code but are not unsafe for habitation.

5. Cities may establish reasonable fees for inspection and enforcement procedures.

6. Cities with populations of less than fifteen thousand may comply with this section.

*See §3 herein

7. A city may adopt housing code provisions which are more stringent than those in the model housing code it adopts or to which it is subject under this section.

Sec. 2.

1. The legislative council may establish a joint subcommittee of the senate and house standing committees on cities to study subjects related to city and state housing codes during the 1980 interim.

2. The joint subcommittee shall be composed of five members from each house, no more than three from each house to be from the same party.

3. The subcommittee's study shall include, but need not be limited to the following subjects:

a. Possible reorganization of state government to provide for administration of housing codes, building codes including rehabilitation codes, and fire prevention codes under one state agency.

b. Whether there is a need for a state housing code and state housing code administration.

c. Whether there is a need for the state to mandate specific housing code enforcement procedures by cities.

d. Whether cities with a population of less than fifteen thousand should be required to adopt housing codes.

e. Consideration of the need for statutory guidelines regarding nuisance abatement procedures by cities as applied to housing which constitutes a nuisance, including procedures for the demolition of condemned buildings.

f. The most desirable state role in the areas of housing, building, rehabilitation and fire prevention codes, balancing the state's concerns against the concept of home rule for cities.

4. The subcommittee shall present its conclusions and recommendations, in the form of a final report with necessary bill drafts, to the legislative council upon its request and to the general assembly which convenes in January, 1981.

Sec. 3. Chapter four hundred thirteen (413), Code 1979, is repealed effective January 1, 1981.

Approved May 26, 1980