

CHAPTER 1113
STATE HISTORIC BUILDING CODE
S.F. 2121

AN ACT relating to the establishment of a state historic building code.

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

Section 1. Section 103A.3, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 24. "State historic building code" means the alternative building regulations and building standards for certain historic buildings provided for in section 103A.24.

Sec. 2. **NEW SECTION. 103A.24 STATE HISTORIC BUILDING CODE.** The commissioner, with the approval of the state historic building code advisory board established by section 103A.27, shall adopt, in accordance with chapter 17A, alternative building standards and building regulations for the rehabilitation, preservation, restoration (including related reconstruction) and relocation of buildings or structures designated by state agencies or governmental subdivisions as qualified historic buildings which are included in, or appear to meet criteria for inclusion in, the national register of historic places. The alternative building standards and building regulations comprise and shall be known as the state historic building code. The purpose of the state historic building code is to facilitate the restoration or change of occupancy of qualified historic buildings or structures so as to preserve their original or restored architectural elements and features and, concurrently, to provide reasonable safety from fire and other hazards for the occupants and users, through a cost-effective approach to preservation.

Sec. 3. **NEW SECTION. 103A.25 DESIGNATION OF QUALIFIED HISTORIC BUILDINGS AND STRUCTURES.**

1. A state agency or governmental subdivision may designate as appropriate for the application of the state historic building code those buildings, structures and collections of structures subject to its jurisdiction for which the state historic preservation officer, in response to an adequately documented request, has issued an opinion affirming that the property is either included in or appears to meet criteria for inclusion in the national register of historic places. A building, structure or collection of structures so designated is a qualified historic building or structure for purposes of sections 103A.24 through 103A.28.

2. As used in this section, "buildings, structures and collections of structures" includes their associated sites.

Sec. 4. **NEW SECTION. 103A.26 APPLICATION OF STATE HISTORIC BUILDING CODE AS ALTERNATIVE.**

1. The state historic building code constitutes a lawful alternative building code for application by state agencies and governmental subdivisions as provided in subsections 2 and 3.

2. A state agency may apply the provisions of the state building code or of the state historic building code, or any combination of the two, in providing reasonable safety from fire and

other hazards for the occupants and other users while permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, relocation or continued use of qualified historic buildings or structures.

3. A governmental subdivision may apply the provisions of its regular local building standards and building regulations or of the state historic building code, or any combination of the two, in providing reasonable safety from fire and other hazards for the occupants and other users while permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, relocation or continued use of qualified historic buildings or structures.

4. The alternative building standards and building regulations of the state historic building code shall be enforced in the same manner and by the same governmental entities as the regular building standards and building regulations of those governmental entities respectively.

5. When the requirements of the state historic building code are applied to repairs, alterations or additions to qualified historic buildings or structures, the requirements of this chapter and chapter 104A which are in conflict with the state historic building code do not apply to those repairs, alterations or additions.

Sec. 5. NEW SECTION. 103A.27 STATE HISTORIC BUILDING CODE ADVISORY BOARD—CREATION.

1. There is established in the office of the commissioner a state historic building code advisory board consisting of nine members as follows:

- a. The commissioner.
- b. The state fire marshal.
- c. The state historic preservation officer.
- d. Six members appointed by the governor as follows:

(1) One person selected from recommendations submitted by the Iowa association of building officials.

(2) One person selected from recommendations submitted by the Iowa chapter of the American institute of architects.

(3) One person who is a member of the legal profession.

(4) Three persons who represent related professions or the general public.

2. Each member specified in paragraphs "a" through "c" of subsection 1 may designate an alternate to serve in place of the member at meetings the member is unable to attend. An alternate so serving has all of the authority that the member would have when attending in the member's place.

3. The members appointed by the governor shall serve four-year terms at the pleasure of the governor and their appointments are not subject to confirmation. Sections 69.15, 69.16 and 69.19 apply to such members. However, initially the governor shall appoint three members for two-year terms and three members for four-year terms with the terms commencing upon appointment and expiring as provided in section 69.19.

4. The board shall elect a chairperson from among its members. Meetings may be called by the commissioner. Five members of the board constitute a quorum. For the purpose of conducting business a majority vote of the board is required.

5. The members of the board shall serve without compensation, but they are entitled to receive necessary expenses incurred in the performance of their duties.

Sec. 6. NEW SECTION. 103A.28 STATE HISTORIC BUILDING CODE ADVISORY BOARD—DUTIES. The state historic building code advisory board shall:

1. Recommend to the commissioner alternative building standards and building regulations for inclusion in the state historic building code.

2. Approve or disapprove alternative building standards and building regulations which the commissioner proposes to include in the state historic building code. A majority vote of the membership of the board is required for this function.

3. Advise and confer with the commissioner in matters relating to the state historic building code.

4. Consult with state agencies, including the state fire marshal and the Iowa state historical department, governmental subdivisions, architects, engineers and others who have knowledge of or interest in the rehabilitation, preservation, restoration and relocation of historic buildings, with respect to matters relating to the state historic building code.

5. At the request of a state agency, governmental subdivision or other interested party, provide review and advice as to specific applications of the state historic building code.

6. At the request of the commissioner, hold public hearings and perform other functions as the commissioner requests.

Approved April 19, 1984

CHAPTER 1114
RESEEDING OF DITCHES
H.F. 111

AN ACT relating to reseeding the topsoil of open ditches with prairie grass seed.

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

Section 1. Chapter 314, Code 1983, is amended by adding the following new section:
NEW SECTION. The department shall have the topsoil of each open ditch along the side of a highway reseeded with prairie grass seed and the seed of other adapted grass and legumes including native grass species after the construction, reconstruction, improvement, repair, or maintenance of a highway whenever feasible.

Approved April 19, 1984