

state the effective date of the suspension or restriction and shall be immediately effective on that date unless stayed, modified or vacated at a hearing before the commission or by a court.

Sec. 11. NEW SECTION. 455B.281 COMPENSATION FOR WELL INTERFERENCE.

If an investigation by the department, using information provided by the applicant or permittee and the complainant, discloses that a proposed or existing permitted use or combination of such uses is causing or will cause the delivery system to fail in a well which supplies water for a nonregulated use, the department may condition issuance or continuation of a permit upon payment by the permittee of compensation for all or a portion of the cost of a replacement water supply system or remedial measures necessitated by the interference. However, such condition may be imposed only after the parties demonstrate to the department that a good faith effort to negotiate a mutually agreeable compensation has been made and has failed.

Determination of the amount of compensation for the well interference shall be made a part of the determination of the department in accordance with section 455B.265 or 455B.271. The department may require the submission of itemized estimates of the cost of remedial repairs or a replacement water supply system. In determining appropriate compensation, the department shall consider the age and condition of the affected well or pumping system and its reasonableness as a method of obtaining groundwater in light of the history of development of groundwater in the surrounding area. When compensation is required for all or part of the cost of construction of a replacement water supply system or reconstruction of an affected well, the construction or reconstruction must comply with applicable well construction standards. A permittee is not required to pay compensation before having an opportunity to do test pumping authorized by the department and supervised by the department or designee.

The determination of the department shall be subject to administrative and judicial review and shall be the exclusive remedy for such interference.

Approved March 5, 1985

CHAPTER 8

USE OF APPRAISED VALUE FOR SCHOOL PROPERTY

H.F. 38

AN ACT providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

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

Section 1. Section 297.22, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The board of directors of a school district may sell, lease, or dispose of, in whole or in part, a schoolhouse, site, or other property belonging to the district for which the appraised value

does not exceed twenty-five thousand dollars. If the appraised value exceeds twenty-five thousand dollars, the board shall submit the question at an election under section 278.1, subsection 2, to authorize the sale, lease or disposal.

Approved March 5, 1985

CHAPTER 9
ADDITIONAL CONDITIONS FOR ZONING CHANGES
H.F. 265

AN ACT authorizing a city or a county to impose additional conditions on property owners as a condition to zoning changes.

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

Section 1. Section 358A.7, Code 1985, is amended to read as follows:

358A.7 CHANGES AND AMENDMENTS.

Such ~~The~~ regulations, restrictions, and boundaries may, ~~from time to time~~, be amended, supplemented, changed, modified, or repealed. Notwithstanding section 358A.4, as a part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, a board of supervisors may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change. In case, however, of a protest against ~~such~~ the change signed by the owners of twenty percent or more either of the area included in ~~such~~ the proposed change, or of the area immediately adjacent ~~thereto~~ to the proposed change and within five hundred feet of the boundaries ~~thereof~~ of the proposed change, ~~such~~ the amendment shall not become effective except by the favorable vote of at least sixty percent of all of the members of the board of supervisors. The provisions of section 358A.6 relative to public hearings and official notice shall apply equally to all changes or amendments.

Sec. 2. Section 414.5, Code 1985, is amended to read as follows:

414.5 CHANGES — PROTEST.

The regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified, or repealed. Notwithstanding section 414.2, as a part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, a council may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public