

CHAPTER 1013**VACATING AND CLOSING OF ROADS***H.F. 605*

AN ACT relating to damage claims for the vacating and closing of roads.

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

Section 1. Section 306.12, Code 1993, is amended to read as follows:
306.12 NOTICE – SERVICE.

Notice of the hearing under section 306.11 shall be published in a newspaper of general circulation in the county or counties where the road is located, not less than four nor more than twenty days prior to the date of hearing. The agency which is holding the hearing shall notify all adjoining property owners, all utility companies whose facilities adjoin the road right of way or are on the road right of way, and the department, boards of supervisors, or agency in control of affected state lands, of the time and place of the hearing, by certified mail, and shall notify all property owners within one mile of the road by regular mail.

Sec. 2. Section 306.14, Code 1993, is amended to read as follows:
306.14 OBJECTIONS – CLAIMS FOR DAMAGES.

~~At such hearing, the~~ The department, the board of supervisors, or the agency in control of affected state lands, ~~as the case may be,~~ and any interested person, may appear and object and be heard at the hearing. Any person owning land abutting on a road ~~which it is proposed to vacate~~ be vacated and close closed, shall have the right to file, in writing, a claim for damages at any time on or before the date fixed for hearing. However, for purposes of this chapter, if an occupied homestead is not located on the abutting land and if the vacating and closing of the road will not landlock the abutting land, a person shall not have a right to claim damages.

Approved March 25, 1994

CHAPTER 1014**COUNTY GENERAL OBLIGATION BONDS FOR WATER SYSTEMS AND FACILITIES***H.F. 606*

AN ACT relating to procedures for the issuance and use of general obligation bonds by counties for the funding of water systems and facilities.

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

Section 1. Section 331.441, subsection 2, paragraph b, subparagraph (12), subparagraph subdivisions (a) through (c), Code Supplement 1993, are amended by striking the subparagraph subdivisions, and inserting in lieu thereof the following:

(a) The county board of supervisors may on its own motion or upon a written petition of a water supplier established under chapter 357A or 504A, direct the county auditor to establish a special service area tax district for the purpose of issuing general obligation bonds. The special service area tax district shall include only unincorporated portions of the county and shall be drawn according to engineering recommendations provided by the water supplier or the county engineer and, in addition, shall be drawn in order that an election provided for in subparagraph subdivision (b) can be administered. The county's debt service tax levy for the county general obligation bonds issued for the purposes set out in this subparagraph shall be levied only against taxable property within the county which is included within the boundaries of the special service area tax district. An owner of property not included within the boundaries of the special service area taxes district may petition the board of supervisors to be included in the special area tax district subsequent to its establishment.

(b) General obligation bonds for the purposes described in this subparagraph are subject to an election held in the manner provided in section 331.442, subsections 1 through 4, if not later than fifteen days following the action by the county board of supervisors, eligible voters file a petition with the county commissioner of elections asking that the question of issuing the bonds be submitted to the qualified electors of the special service area tax district. The petition must be signed by at least five percent of the registered voters residing in the special service area tax district. If the petition is duly filed within the fifteen days, the board of supervisors shall either adopt a resolution declaring that the proposal to issue the bonds is abandoned, or direct the county commissioner of elections to call a special election within a special service area tax district upon the question of issuing the bonds.

Approved March 25, 1994

CHAPTER 1015
HANDICAPPED PARKING SPACES
H.F. 2086

AN ACT relating to federal dimensional requirements for handicapped parking spaces.

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

Section 1. Section 321L.5, subsection 2, Code 1993, is amended to read as follows:

2. A handicapped parking space designated after July 1, 1990, shall be in accordance with the dimension requirements of ~~36 C.F.R. § 1190.31~~ specified in rules adopted by the department of public safety that were in effect when the spaces were designated. The department shall adopt standards which are consistent with the requirements of federal law. However, these dimension requirements do not apply to parallel on-street parking spaces.

Approved March 25, 1994