

March 12, 1957.

House File 488
By REPPERT and ANDREWS.

Passed House, Date..... Passed Senate, Date.....
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....
Approved.....

A BILL FOR

An Act relating to county boards of health in counties having a population of one hundred fifty thousand (150,000) or more, and to the powers and duties of such boards and of boards of supervisors in protecting public health.

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

1 Chapter one hundred thirty-seven (137), Code 1954, is
2 hereby amended by adding the following at the end thereof as
3 division two (II):

1 Section 1. The county board of health, in every county
2 which, by the latest federal decennial census, has a population
3 of one hundred fifty thousand (150,000) or more, shall have
4 jurisdiction for the purposes hereinafter set forth in this
5 division over all territory in such county outside the
6 territorial limits of cities having a population of five
7 thousand (5,000) inhabitants or more.

1 Sec. 2. County boards of health established under the
2 provisions of section one (1) of this act have all the powers
3 and duties of other boards of health set forth in chapter one
4 hundred thirty-seven (137) of the Code.

1 Sec. 3. The provisions of chapter four hundred thirteen
2 (413), Code 1954, except sections four hundred thirteen point
3 thirty-three (413.33), four hundred thirteen point one hundred
4 four (413.104) and four hundred thirteen point one hundred
5 twenty-five (413.125) thereof, shall apply to all territory

6 under the jurisdiction of such health board, and the board of
7 supervisors and the health board shall have all the powers and
8 duties of city councils and city boards of health respectively
9 under said chapter.

1 Sec. 4. No rule or regulation adopted under the provisions
2 of this division which relates to matters other than those
3 covered in chapter one hundred thirty-seven (137) of the Code,
4 shall be construed to apply to land, farm houses, farm barns,
5 farm buildings or other buildings, structures, or erections
6 which are adapted, by reason of nature and area, for use for
7 agricultural purposes as a primary means of livelihood, while
8 so used.

1 Sec. 5. Upon recommendation of such health board, the
2 county board of supervisors shall have power to adopt a
3 building code which shall comply with all provisions of chapter
4 four hundred thirteen (413) of the Code. The board of
5 supervisors may provide for the regulation and inspection of
6 all construction, major repairs and remodeling, and the
7 installation of electrical, heating, ventilating, air
8 conditioning, and plumbing fixtures, apparatus, and equipment.
9 They shall have the power to provide for the removal, repair,
10 or dismantling of any dangerous building or structure and to
11 assess the cost thereof against the property, and to require
12 the numbering of buildings and, in the event said requirement
13 is not complied with, to cause the same to be done and assess
14 the cost thereof against the property.

1 Sec. 6 Any rule or regulation adopted by the board of
2 supervisors under the provisions of this division relating to
3 the installation, repair, or use of electrical equipment may

4 conform reasonably with the standards of the Underwriters
5 Laboratories, Inc., as approved by the American Standards
6 Association, and the electrical provisions of other standards
7 approved by the American Standards Association.

1 Sec. 7. The state plumbing code adopted under the
2 provisions of chapter one hundred thirty-five (135) of the
3 Code shall be the basic rules and regulations governing the
4 installation of plumbing under the jurisdiction of the board
5 of supervisors and such board may adopt rules and regulations
6 providing for the enforcement of such code.

1 Sec. 8. Such board of health shall have the power to
2 examine and license plumbers and to issue licenses and permits
3 and require the payment of reasonable license and permit fees,
4 and appoint examiners, inspectors, officers and personnel
5 necessary to enforce ordinances adopted hereunder and define
6 their duties. Such appointments shall be subject to the
7 approval of the county board of supervisors. All administrative
8 expenses hereunder shall be paid out of the county general
9 fund and all fees collected under such ordinances shall be
10 forwarded to the county treasurer at such intervals and under
11 such accounting practices as the county board of supervisors
12 may prescribe.

1 Sec. 9. Upon recommendation of such board of health, the
2 board of supervisors may establish a department of building
3 inspection under such board of health and in charge of a person
4 devoting his entire time to the supervision of building
5 construction and to the enforcement of laws and ordinances
6 relating to building construction, repair, alteration, removal
7 and to related matters, and the board of supervisors may provide

8 that said person shall be charged with the powers and duties
9 charged in sections four hundred thirteen point ninety-two
10 (413.92) to four hundred thirteen point one hundred three
11 (413.103) of the Code, inclusive, to the board of health and
12 to the health officer, and that all plans, specifications,
13 affidavits, forms, and statements, in said sections prescribed
14 to be filed with the health officer shall be filed with such
15 person, and that said person may issue valid permits, certificates,
16 and orders without the certificate of the health officer.

1 Sec. 10. 1. A board of examiners appointed hereunder to
2 examine applicants for plumbing licenses shall consist of
3 three (3) members, one (1) of whom shall be a practical
4 journeyman plumber of at least five (5) years' experience as
5 a journeyman, one (1) a practical master plumber of at least
6 five (5) years' experience as a master plumber, and one (1)
7 a member of the board of health. Such journeyman and master
8 examiners may receive compensation not exceeding one hundred
9 (100) dollars per year.

10 2. A journeyman's license granted by such board shall be
11 valid only in the jurisdiction of said board; provided, however,
12 they may issue a license without examination to any journeyman
13 holding a license from another licensing body recognized by
14 such authority as having similar licensing standards.

1 Sec. 11. No outside water closet, privy, or privy vault shall
2 hereafter be erected within the jurisdiction of such board; and
3 no dwelling shall hereafter be erected unless there is a
4 sanitary water supply and sanitary sewage disposal available
5 or erected and used in connection therewith. No cesspool or
6 similar means of sewage disposal shall be used in connection

7 with any building whatsoever where connection with a public
8 sewer is practicable, but such county board of health in its
9 discretion may determine that a cesspool or similar means
10 of sewage disposal may be used.

1 Sec. 12. The county board of health hereunder, the county
2 board of supervisors, and the city council of any city in such
3 county excluded from the jurisdiction of such board of health
4 may cooperate in the administration and enforcement of the
5 provisions of this act and similar laws relating to such
6 cities and may apportion the expenses therefor and may
7 apportion the proceeds from permits and licenses.

1 Sec. 13. The board of supervisors of such county and such
2 city council may agree that the county board of health and
3 board of supervisors shall have full jurisdiction over both
4 the county and the city for the purposes set forth herein and
5 in such event such city shall not be required to establish a
6 board of health or duplicate any of the services provided for
7 herein.

1 Sec. 14. The county board of health and the county zoning
2 board may cooperate in the administration and enforcement of
3 the provisions of this act and the county zoning law provided
4 in chapter three hundred fifty-eight A (358A) of the Code and
5 ordinances adopted thereunder.

EXPLANATION OF HOUSE FILE 488

This bill combines health inspection services outside cities of 5,000 population in heavily populated counties, with zoning and building code administration to permit better administration of such laws more economically and will help protect taxpayers, home owners and school districts against builders of blight areas, contaminated water and unsanitary conditions.

