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FILED FEB 24 1976

Reprinted 3/19

SENATE FILE 1207

By COMMITTEE ON CITIES

Passed Senate, Date 3-16-76 (p. 880) Passed House, Date _____
Vote: Ayes 39 Nays 7 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing an Iowa building code, including a housing
2 code, establishing a separate department of building codes,
3 and providing penalties for violations.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. This Act may be cited as the
2 "Iowa Building Code Act".

3 Sec. 2. NEW SECTION. LEGISLATIVE FINDINGS AND INTENT.
4 Uniformity of building codes and uniformity in procedures
5 for enforcing codes throughout the nation and the state are
6 matters of nationwide and statewide interest and concern in
7 that uniformity would increase the efficiency of the building
8 industry and further assure the safety of its products.

9 The use of new technologies, techniques, and materials
10 is enhanced by the utilization and application of uniform
11 building codes and uniform procedures for enforcing building
12 codes in this state, and would be further enhanced by wide-
13 spread reliance upon uniform and reasonable material specifica-
14 tions and the use of performance criteria.

15 The general assembly intends that the state administration
16 and enforcement of this Act shall be within the jurisdiction
17 of a single administrative agency.

18 Sec. 3. NEW SECTION. APPLICABILITY--ADOPTION PROCEDURE.

19 1. The standards, requirements and specifications set
20 forth in this Act shall apply to:

21 a. All buildings throughout the state paid for in whole
22 or in part by public moneys.

23 b. All factory built structures, recreational vehicles,
24 mobile homes, and mobile home parks throughout the state.

25 c. All buildings and construction owned by the state,
26 and all buildings constructed on state land.

27 d. All construction and buildings in each governmental
28 subdivision of the state which has adopted a building code.

29 2. Energy conservation standards and requirements pro-
30 mulgated under the authority of section eight (8), subsection
31 one (1), paragraph c of this Act, including those standards
32 and requirements related to thermal efficiency, shall apply
33 to all new buildings and construction throughout the state.
34 Standards relating to lighting efficiency shall apply as well
35 to all existing buildings which are open to the public.

1 3. The standards, requirements, and specifications set
2 forth in this Act shall not apply to buildings in
3 unincorporated areas which are used and continue to be used
4 primarily for agricultural purposes. Owner-occupied farm
5 dwellings in unincorporated areas shall be exempt from the
6 housing code provisions of section eight (8), subsection one
7 (1), paragraph g of this Act.

8 4. The state building code shall be applicable in each
9 governmental subdivision of the state in which the governing
10 body has adopted or enacted a resolution or ordinance accepting
11 the applicability of the code and shall have filed a certified
12 copy of the resolution or ordinance in the office of the
13 commissioner and in the office of the secretary of state.
14 The state building code shall become effective in the
15 governmental subdivision upon the date fixed by the
16 governmental subdivision resolution or ordinance. The
17 effective date shall be no later than six months after the
18 date of adoption of the resolution or ordinance.

19 Sec. 4. NEW SECTION. DEFINITIONS. As used in this Act,
20 unless a different meaning is clearly indicated by the context:

21 1. "Building" means any combination of materials which
22 comprises a structure, whether portable or fixed, affording
23 facilities or shelter for any use or occupancy. The word
24 "building" shall be construed as if followed by the words
25 "or part or parts thereof and all equipment therein" unless
26 the context clearly requires a different meaning.

27 2. "Commissioner" means the commissioner of the department
28 of building codes.

29 3. "Construction" means the erection, fabrication, recon-
30 struction, demolition, alteration, conversion, or repair of
31 a building, or the installation of equipment therein.

32 4. "Council" means the building code council of the
33 department of building codes.

34 5. "Department" means the department of building codes.

35 6. "Equipment" means facilities or installations,

1 including, but not limited to, plumbing, heating, electrical,
2 ventilation, air conditioning and refrigeration facilities,
3 elevators, dumbwaiters, escalators, boilers, fire protection
4 systems or equipment and pressure vessels.

5 7. "Local enforcement agency" means an agency of local
6 government with authority to make inspections of buildings
7 and to enforce the laws, ordinances, and rules enacted by
8 the state and by the local government which establish standards
9 and requirements applicable to the construction, alteration,
10 repair, occupancy, or demolition of buildings.

11 8. "Local government" means a county, city, or combination
12 thereof with authority to establish standards and requirements
13 applicable to the construction, alteration, repair, occupancy,
14 or demolition of buildings.

15 9. "Factory built structure" means any building which
16 is of closed construction and which is made or assembled in
17 manufacturing facilities, on or off the building site, for
18 installation, or assembly and installation, on the building
19 site. "Factory built structure" also means any building of
20 open construction for which certification under this Act is
21 sought by the manufacturer and which is made or assembled
22 in manufacturing facilities away from the building site for
23 installation, or assembly and installation, on the building
24 site.

25 10. "Mobile home system" means plans, specifications,
26 and documentation for a system of mobile homes, which may
27 include structural, electrical, mechanical, plumbing and fire
28 protection systems, and other systems affecting health and
29 safety, including variations which are submitted as part of
30 the mobile home system.

31 11. "Recreational vehicle" means a vehicular unit primarily
32 designed as temporary living quarters for recreational,
33 camping, or travel use, which either has its own motive power
34 or is designed to be mounted on or drawn by another vehicle.

35 12. "Closed construction" means any structure, building,

1 component, assembly or system manufactured in such a manner
2 that all portions cannot be readily inspected at the in-
3 stallation site without being disassembled, damaged, or
4 destroyed.

5 13. "Open construction" means any structure, building,
6 component, assembly or system manufactured in such a man-
7 ner that all portions can be readily inspected at the in-
8 stallation site without being disassembled, damaged, or
9 destroyed.

10 Sec. 5. NEW SECTION. DEPARTMENT CREATED. There is created
11 a department of building codes. The chief administrative
12 officer of the department shall be the commissioner of building
13 codes, who shall be appointed by the governor, with the
14 approval of two-thirds of the members of the senate, and shall
15 serve at the governor's pleasure.

16 The commissioner shall be selected on the basis of his
17 technical and administrative abilities at an annual salary
18 as fixed by the general assembly. The appointment or removal
19 of the commissioner shall not be subject to the provisions
20 of chapter nineteen A (19A) of the Code.

21 Sec. 6. NEW SECTION. COMMISSIONER'S DUTIES. The com-
22 missioner shall:

23 1. Recommend to the council the adoption of rules that
24 are necessary for the effective administration of the
25 department.

26 2. Direct and administer the programs and services of
27 the department in compliance with the rules adopted by the
28 council.

29 3. Perform other duties assigned by the council.

30 4. Prepare, with council approval, the budget request
31 for the department.

32 5. Appoint with the approval of the council the technical,
33 professional, secretarial, and clerical staff necessary to
34 accomplish the purposes of this Act, subject to the provisions
35 of chapter nineteen A (19A) of the Code.

1 6. Be authorized to appoint a member of his staff to be
2 acting commissioner in his absence. The acting commissioner
3 shall have the powers delegated to him by the commissioner.

4 The commissioner and other employees of the department
5 shall receive, in addition to salary, their necessary expenses
6 when engaged in the performance of official business.

7 7. Administer and enforce the provisions of chapter one
8 hundred four A (104A) of the Code.

9 Sec. 7. NEW SECTION. BUILDING CODE COUNCIL. A building
10 code council is created. The council shall consist of seven
11 members who are qualified by experience or training to provide
12 a broad or specialized expertise on matters pertaining to
13 areas subject to this Act.

14 Members of the council shall be appointed by the governor
15 for four-year terms of office and shall serve until qualified
16 successors are appointed. No more than four members of the
17 council shall be of the same political affiliation. The state
18 building code advisory council members appointed under section
19 one hundred three A point fourteen (103A.14) of the Code shall
20 continue to serve as members of the council created by this
21 section until their terms expire, or until vacancies otherwise
22 occur, at which times the governor shall appoint new members.

23 Members of the council shall receive a per diem of forty
24 dollars for each day actually spent attending to the business
25 of the council and be compensated for necessary expenses
26 incurred in the performance of their duties.

27 The council shall meet at the written request of the
28 commissioner or of three or more members of the council.

29 The council shall establish rules for its internal
30 operation. The council may establish committees and provide
31 funding.

32 The council shall be part of the department of building
33 codes and shall exercise its powers, duties, and functions
34 independently of the department of building codes, except
35 that all budgeting, procurement, and related functions shall

1 be under the direction and supervision of the commissioner
2 of the department of building codes.

3 A member shall not act as a member of the council or vote
4 as such in connection with any matter in which he has a private
5 interest.

6 Sec. 8. NEW SECTION. POWERS OF COUNCIL AND COMMISSIONER.

7 1. The commissioner shall, and any other interested party
8 may propose rules. The council shall adopt and may amend
9 or repeal rules, subject to chapter seventeen A (17A) of the
10 Code. After adoption by the council, the commissioner shall
11 publish, administer, and enforce the rules. The rules shall
12 cover the following:

13 a. The construction and inspection of all buildings and
14 structures which are subject to the state building code.

15 b. The use or occupancy of buildings.

16 c. Standards and requirements for materials and equip-
17 ment to be used in buildings including, but not limited to,
18 standards and requirements for safety, noise insulation and
19 abatement, energy conservation, ingress and egress, and
20 sanitary conditions.

21 d. Standards, specifications, and requirements for the
22 manufacture of factory built structures and building
23 components, mobile homes and recreational vehicles.

24 e. Standards, specifications, and requirements for instal-
25 lation of factory built structures, components and mobile
26 homes.

27 f. Requirements for building systems and compliance as-
28 surance programs.

29 g. Standards, specifications, and requirements for a state
30 housing code applicable to new and existing dwellings, and
31 provisions for its enforcement.

32 h. Standards, specifications and requirements for mobile
33 home park and recreational vehicle park installations.

34 i. Standards, specifications and requirements for fire
35 prevention and safety in buildings and structures and

1 provisions for their enforcement.

2 j. Standards, specifications, requirements, and provisions
3 for enforcement for making buildings and facilities accessible
4 to and usable by the handicapped.

5 k. The establishment of classifications of fire zones
6 pursuant to section thirteen (13), subsection two (2), of
7 this Act.

8 1. The administration and enforcement of this Act.

9 2. The commissioner shall propose and the council shall
10 adopt the codes, standards, and requirements which apply to
11 buildings and are promulgated by such organizations as the
12 building officials and code administrators international,
13 inc., international conference of building officials, southern
14 building code congress, council of american building officials,
15 and other nationally recognized organizations including
16 governmental agencies, if the council determines that any
17 such code meets the following requirements:

18 a. Its adoption will not substantially reduce regional
19 uniformity of building regulations.

20 b. It does not discriminate against particular tech-
21 nologies, techniques, and materials.

22 c. It does not unnecessarily increase the cost of
23 construction in the state.

24 d. It will protect the public health, safety, and welfare
25 within the state.

26 e. The state may participate in the code modification
27 proceedings of the model code group whose code is proposed
28 to be adopted.

29 If the council determines that all of the codes fail to
30 meet one or more of the requirements, the council shall adopt
31 a code which is comprised of one or more of the model codes,
32 or which is amended to the extent necessary to meet the
33 requirements.

34 3. The council shall:

35 a. Establish procedures for implementation of the transi-

1 tion from chapters one hundred three A (103A) and four hundred
2 thirteen (413) of the Code to this Act.

3 b. Hold a public hearing prior to adopting any rule,
4 following adequate public notice.

5 c. Make a continual study of the operation of the Iowa
6 building code and other laws relating to the construction
7 of buildings to ascertain their effect upon the cost of
8 building construction and determine the effectiveness of their
9 provisions.

10 d. Hear appeals pursuant to section fifteen (15) of this
11 Act.

12 e. Decide, upon application by a private party or a local
13 enforcement agency, that new technologies, techniques, and
14 materials which have been tested, where necessary, and found
15 to meet the objectives of the Iowa building code, shall be
16 deemed to meet that code. These determinations are binding
17 upon all local enforcement agencies throughout the state
18 unless otherwise qualified by the council.

19 4. The council or commissioner may:

20 a. Require or provide for the testing of materials,
21 devices, and methods of construction.

22 b. Appoint experts, consultants, technical advisors, and
23 advisory committees for assistance and recommendations relative
24 to the formulation of the Iowa building code.

25 c. Formulate rules for the issuance and revocation of
26 permits for building construction, occupancy permits, and
27 occupational licenses.

28 Sec. 9. NEW SECTION. IOWA BUILDING CODE.

29 1. The rules published pursuant to section eight (8) of
30 this Act shall comprise and collectively be known as the Iowa
31 building code.

32 2. The Iowa building code shall be designed to achieve
33 the following specific objectives:

34 a. Provide uniform standards and requirements for con-
35 struction and construction materials.

1 b. To the extent practicable, set forth the standards,
2 specifications, and requirements in terms of performance
3 objectives, to facilitate the use of new technologies,
4 techniques, and materials. Preference shall be given to
5 standards reasonably consistent with those of other states.

6 3. Until one hundred eighty days after adoption of the
7 Iowa building code by a local government, any local building
8 regulations shall continue in effect unless repealed. There-
9 after, local building regulations shall be void and of no
10 effect, except as powers are reserved to local government
11 in section ten (10) of this Act. A building permit validly
12 issued pursuant to local building regulations within one
13 hundred eighty days after adoption of the Iowa building code
14 by the local government is valid thereafter and the
15 construction of a building may be completed pursuant to and
16 in accordance with the permit. In an area of the state which
17 had no building regulations, or did not require building
18 permits, the construction of a building started before adoption
19 of the Iowa building code by the local government may be
20 completed without a building permit.

21 4. Until one hundred eighty days after adoption of the
22 Iowa building code, building codes promulgated by a state
23 board, department, commission, or agency shall continue in
24 effect unless repealed. Thereafter, such building codes shall
25 be void and of no effect.

26 Sec. 10. NEW SECTION. LOCAL EXEMPTIONS.

27 1. A local government which, prior to the adoption of
28 this Act, has adopted and is enforcing a nationally recognized
29 model building code as its building ordinance, may apply to
30 the council to be allowed to continue to enforce its building
31 ordinance and to be exempted from the provisions of the Iowa
32 building code. After approval by the council, or after final
33 decision by the district court in favor of exemption after
34 appeal of an adverse decision by the council, the ordinance
35 shall be so exempted. The council shall support its decisions

1 on such applications with written findings in accordance with
2 the provisions of subsection two (2) of this section.

3 2. The council shall grant an application for exemption
4 if it is established to the satisfaction of the council that:

5 a. The ordinance is sufficiently consistent with the Iowa
6 building code so that its application will not substantially
7 reduce statewide or regional uniformity of building codes.

8 b. The ordinance does not unnecessarily discriminate
9 against particular technologies, techniques, or materials.

10 c. The ordinance does not unnecessarily increase the cost
11 of construction in the jurisdiction.

12 d. The ordinance is the current edition of a nationally
13 recognized model building code.

14 e. Enforcement of the ordinance, as it may differ from
15 the Iowa building code, is necessary to protect the public
16 health, safety, and welfare within the applicable jurisdiction.
17 In determining whether the ordinance meets the above require-
18 ments, the council shall obtain the advice and counsel of
19 the department of building codes.

20 . 3. A decision of the council approving or disapproving
21 an application, or failure of the council to act within a
22 reasonable time, may be appealed to the district court.

23 4. If an application is approved, the local government
24 shall thereafter maintain its building ordinance up to date.
25 The local government may do so by adopting, without change,
26 such improvements, amendments, and research findings as may
27 be issued by the national model code organization within one
28 year of the issuance thereof. If the local government wishes
29 to amend the nationally recognized model code in any other
30 manner, it shall submit the proposed amendment, and findings
31 of fact in support thereof, to the council. The council shall
32 approve the amendment if the local government establishes
33 to the council's satisfaction that it meets the criteria set
34 forth in subsection two (2) of this section and is necessary
35 to account for conditions peculiar to the jurisdiction.

1 Should an exempted local government fail to maintain its code
2 up to date, or amend its code in violation of this section,
3 and fail to remedy the situation within a reasonable time
4 after due notice, the council shall revoke the local
5 government's exemption and the Iowa building code shall be
6 enforced in that jurisdiction. Any decision of the council
7 approving or disapproving such an amendment or revoking a
8 local government's exemption shall be final for purposes of
9 seeking judicial review.

10 5. A local government which has been exempted under this
11 section may upon public notice repeal its building ordinance
12 and will thereafter be covered by the Iowa building code.

13 Sec. 11. NEW SECTION. LOCAL VARIATIONS. A local
14 government may propose to the council variations in the Iowa
15 building code, for application within its jurisdiction, to
16 cover unique local conditions requiring special or different
17 building standards. The council shall adopt such variations
18 if it is established to the council's satisfaction that:

19 1. The proposed variation is sufficiently consistent with
20 the Iowa building code so that its application will not
21 substantially reduce statewide uniformity of building codes.

22 2. The proposed variation does not discriminate against
23 particular technologies, techniques, or materials.

24 3. The proposed variation does not unnecessarily increase
25 the cost of construction in the jurisdiction.

26 4. The proposed variation does not substantially reduce
27 the standards of public health, safety, and welfare within
28 the jurisdiction.

29 Sec. 12. NEW SECTION. ADMINISTRATION.

30 1. In areas where local enforcement agencies have
31 jurisdiction, the commissioner shall not enforce the Iowa
32 building code. In such areas, the local enforcement agencies
33 are responsible for the examination and approval or disapproval
34 of plans and specifications, the issuance and revocation of
35 building permits, licenses, certificates, and similar

1 documents, and the inspection of buildings pursuant to the
2 provisions of the Iowa building code.

3 The state or any state agency shall comply with local
4 permit regulations when constructing a building within a local
5 jurisdiction.

6 2. Within one hundred eighty days after the adoption of
7 the Iowa building code, a local government shall create, where
8 necessary, a local enforcement agency and shall employ and
9 designate a building official as well as code enforcement
10 officers deemed necessary to assist the enforcement agency
11 in carrying out its functions under this section. The
12 administrative chief of the local enforcement agency shall
13 be called the building official.

14 3. If a local government has not adopted the state building
15 code the department of building codes shall enforce the state
16 building code as it applies in that jurisdiction. If a local
17 government has adopted the state building code but has not
18 established a local enforcement agency, the department of
19 building codes shall enforce the Iowa building code in that
20 jurisdiction until the local government has appointed the
21 necessary personnel.

22 4. Local governments shall appoint local appeals boards
23 to hear appeals brought in accordance with section fifteen
24 (15), subsection two (2) of this Act. Until the boards are
25 established, appeals shall be heard by the council. A
26 sufficient number of members shall be appointed to allow
27 appeals to be heard promptly by panels of not less than three
28 members, all of whom shall be free of conflicts of interest
29 in the cases before them. A local government shall be relieved
30 of the duty to appoint local appeals boards if it establishes
31 to the satisfaction of the council that a sufficient number
32 of qualified people cannot be found in the jurisdiction or
33 through cooperation with neighboring jurisdictions.

34 5. Two or more local governments may establish a local
35 enforcement agency or a local appeals board to serve their

1 jurisdictions, and in this event they shall share
2 proportionately the expenses incurred.

3 6. The department of building codes shall, upon request,
4 assist a local enforcement agency in such matters as tech-
5 nical assistance, code interpretation, education, training,
6 personnel, and information collection and dissemination.

7 7. Except as otherwise provided in the Iowa building code,
8 the construction of a building shall not begin until a building
9 permit is issued. Upon submission of an application to a
10 local enforcement agency, if the building proposed to be
11 erected will comply with this Act and the Iowa building code,
12 a permit shall be issued. A local enforcement agency may
13 suspend or revoke a building permit if the building under
14 construction pursuant thereto does not comply with this Act
15 or the Iowa building code.

16 8. A local enforcement agency shall periodically inspect
17 all construction undertaken pursuant to building permits
18 issued by that agency to assure compliance with this Act and
19 the Iowa building code. The applicant for a building permit
20 for a building under construction, who shall be the owner
21 or his authorized agent, is deemed to have consented to
22 inspection by a local enforcement agency by the act of applying
23 for a building permit. In addition to other inspections
24 provided for in this Act, an inspection may be made of any
25 building at any time if a local enforcement agency has probable
26 cause to believe that a condition hazardous to life or property
27 exists. If a building is found not to comply with the Iowa
28 building code, the local enforcement agency shall notify the
29 permittee in writing to bring the building into compliance
30 with the Iowa building code, or to secure it from entry, or
31 both. If the permittee fails to comply with the notification,
32 the local enforcement agency shall revoke the permit.

33 9. A building constructed after the effective date of
34 the Iowa building code shall not be used or occupied until
35 a certificate of occupancy has been issued. Upon submission

1 of an application for a certificate of occupancy to a local
2 enforcement agency, a certificate of occupancy shall be issued,
3 if the building to which the application pertains has been
4 constructed in accordance with the building permit, the Iowa
5 building code, and other applicable laws and ordinances.

6 Sec. 13. NEW SECTION. RESERVATION OF LOCAL ZONING AND
7 RELATED POWERS.

8 1. Except as provided by or pursuant to this Act, land
9 use zone requirements, building setback requirements, side
10 and rear yard requirements, site development, and property
11 line requirements are specifically and entirely reserved to
12 local government.

13 2. The council shall establish classifications of fire
14 zones. Local governments shall establish precise boundaries
15 for fire zones within their jurisdictions.

16 Sec. 14. NEW SECTION. FEES.

17 1. The council shall establish a schedule of fees for
18 the functions performed by the council and the commissioner
19 in connection with the administration and enforcement of this
20 Act and publish it in the Iowa building code. The amount
21 of the fees shall be based, to the extent reasonable, on the
22 cost of performing functions undertaken pursuant to this Act.

23 2. Each local government may establish a schedule of fees
24 for the functions performed by the local enforcement agency
25 in connection with the enforcement of this Act. Local fees
26 shall apply to state-owned buildings and state construction
27 within the local jurisdiction.

28 Sec. 15. NEW SECTION. APPEALS.

29 1. The council shall promptly hear and decide appeals
30 brought by any person or party in an individual capacity,
31 or on behalf of a class of persons or parties, affected by
32 any rule or decision pursuant to this Act. Final decisions
33 by the council are reviewable on appeal to the district court.

34 2. Prior to appeal to the council, appeals of decisions
35 or rulings of a local enforcement agency shall be heard by

1 the appropriate local appeals board. If there is no local
2 appeals board for the jurisdiction, appeals shall be taken
3 directly to the council.

4 Sec. 16. NEW SECTION. INJUNCTIVE RELIEF. The commissioner
5 or the local enforcement agencies may obtain injunctive relief
6 from any court of competent jurisdiction to enjoin the offering
7 for sale, sale, delivery, use, occupancy, erection, alteration,
8 or installation of any building covered by this Act, upon
9 an affidavit specifying the manner in which the building does
10 not conform to the requirements of this Act or the Iowa
11 building code.

12 Sec. 17. NEW SECTION. PENALTIES.

13 1. A party who fails to comply with the provisions of
14 this Act or of the state building code within a reasonable
15 time of notification of the violation shall be subject to
16 a fine of not more than one hundred dollars for each offense.

17 2. A separate violation is deemed to have occurred with
18 respect to each building not in compliance with the Act or
19 the Iowa building code. Each day the violation continues
20 constitutes a separate violation.

21 Sec. 18. Section one hundred point one (100.1), Code 1975,
22 is amended by striking subsection four (4), paragraph d, and
23 subsection five (5).

24 Sec. 19. Section one hundred four point two (104.2), Code
25 1975, is amended to read as follows:

26 104.2 SCOPE OF CHAPTER. The provisions of this chap-
27 ter shall not apply to any facility installed in any single
28 private dwelling residence, to facilities subject to regulation
29 under I.D.R. (1973 and supplements), chapter 26 of the bureau
30 of labor rules (regulation 29 C.F.R. 1926.552), to manlifts
31 subject to regulation under chapter 88 or to facilities over
32 which an agency of the federal government is asserting similar
33 enforcement jurisdiction. Provisions of this chapter supersede
34 similar provisions contained in building codes of this state
35 or any subdivision thereof, except as provided in section

1 one hundred four point three (104.3) of the Code.

2 Sec. 20. Section one hundred four point three (104.3),
3 subsection one (1), Code 1975, is amended to read as follows:

4 104.3 PROMULGATION OF RULES.

5 1. The commissioner may adopt rules governing maintenance,
6 ~~construction, alteration, and installation of facilities,~~
7 and the inspection and testing of new and existing
8 installations as necessary to provide for the public safety,
9 and to protect the public welfare.

10 The building code council may, with the concurrence of
11 the commissioner, adopt, amend or repeal rules providing
12 for construction of new facilities and alteration of existing
13 facilities. These rules shall be a part of the state building
14 code.

15 The commissioner shall adopt, amend, or repeal rules
16 pursuant to chapter 17A as he deems necessary for the execution
17 of his duties under this chapter, which shall include, but
18 not be limited to, rules providing for:

19 a. Classifications of types of facilities.

20 b. Maintenance, inspection, testing, and operation of
21 the various classes of facilities.

22 ~~c. Construction of new facilities.~~

23 ~~d. Alteration of existing facilities.~~

24 e c. Minimum safety requirements for all existing
25 facilities.

26 ~~f~~ d. Control or prevention of access to facilities or
27 dormant facilities.

28 ~~g~~ e. The reporting of accidents and injuries arising from
29 the use of facilities.

30 ~~h~~ f. The specification of hearing and appeal procedures
31 used by the commissioner.

32 ~~i~~ g. Qualifications for obtaining an inspector's license.

33 ~~j~~ h. The adoption of procedures for the issuance of
34 variances.

35 ~~k~~ i. The amount of fees charged and collected for

1 inspection, permits, and licenses.

2 Sec. 21. Section one hundred thirty-five point eleven
3 (135.11), Code 1975, is amended by striking subsections seven
4 (7) and eight (8).

5 Sec. 22. Section one hundred thirty-five D point five
6 (135D.5), unnumbered paragraph three (3), Code 1975, is amended
7 to read as follows:

8 When the application is received by the state department
9 of health, it shall promptly cause the mobile home park and
10 appurtenances thereto to be inspected. When such inspection
11 and report has been made and the state department of health
12 finds that all requirements of this chapter, and such
13 conditions of health and safety as the state department of
14 health may require, and the requirements of the state building
15 code have been met by the applicant, the state department
16 of health shall forthwith issue such annual primary license
17 in the name of the state.

18 Sec. 23. Section one hundred thirty-five D point fif-
19 teen (135D.15), Code 1975, is amended to read as follows:

20 135D.15 SEASONAL OPERATION. If any applicant for a mobile
21 home park license desires to operate such mobile home park
22 only during the months from May 1 to October 1, they should
23 pay only one-half of the above-mentioned annual license fee,
24 but should pay the full monthly fees hereinbefore required
25 for each month of operation. If in the opinion of the state
26 department of health the sanitary and facility requirements
27 herein contained are too rigid for the mobile home park, it
28 may in writing or by regulation, with the concurrence of the
29 building code council, modify such requirements as
30 circumstances may permit and require.

31 Sec. 24. Sections one hundred thirty-five point twelve
32 (135.12), one hundred thirty-five point thirteen (135.13),
33 one hundred thirty-five point fourteen (135.14), and chap-
34 ters one hundred three A (103A) and four hundred thirteen
35 (413), Code 1975, are repealed.

EXPLANATION

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This bill establishes a uniform state building code based upon model codes and transfers the building code council and commissioner, charged with its promulgation and enforcement, from the office for planning and programming to a department of building codes.

The building code will apply to all factory built structures, mobile home parks, recreational vehicles, state-owned buildings and public buildings throughout the state, and will be applicable statewide with respect to energy conservation regulations and to regulations governing accessibility for handicapped persons. The code will apply to all buildings and construction, except farm buildings and dwellings, in governmental subdivisions which adopt it.

The bill also provides for a housing code for new and existing dwellings, and transfers the promulgation of rules governing plumbing construction, elevator construction, and fire safety in building construction to the building code department.

A local government which is enforcing a model code may apply for exemption, and local enforcement agencies which enforce the state code may propose variations. Injunctive relief and criminal penalties are provided.

LSB 4130
mr/rh/31

SENATE FILE 1207
FISCAL NOTE

Date prepared: March 12, 1976
Requested by: Senator Griffin
Prepared in regard to Senate File 1207, An Act establishing an Iowa Building Code, including a housing code, establishing a separate department of building codes and providing penalties for violations.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

The budget request for FY 1976-1977 for the Building Code Administration of Planning and Programming was \$225,000 as a currently operating program. This anticipated inclusion of the building code staff under S.F. 1207 and inclusion of rent and expenses now included in O.P.P. budget.

A portion of the \$225,000 is to be funded, in effect, by an estimated \$73,000 HUD contract and additional fees for review of plans of state owned buildings.

The following estimate of building code costs is included in the above request:

2 Additional specialists	\$31,360
Secretarial Assistance	4,520
Travel	2,200
Space and supplies	Unknown
Seminars (travel and expenses to be paid for participants)	Unknown

Provision is made in Senate File 1207 for setting a fee schedule based, to the extent reasonable, on cost of performing functions of the Act. Therefore, it is possible, dependent on fee structure, that there would be no cost to the state for Senate File 1207.

Source: Building Code Administration

FILED, MARCH 15, 1976

BY GERRY D. RANKIN
LEGISLATIVE FISCAL DIRECTOR

S-5313

1 Amend Senate File 1207 as follows:

2 1. Page 15, by striking lines 21 through 23 and
3 inserting in lieu thereof the following:
4 "Sec. 18. Section one hundred point one (100.1),
5 subsection four (4), paragraph d, and subsection five
6 (5), Code 1975, are amended to read as follows:
7 d. ~~The electric wiring and heating and adequate~~
8 Adequate means of exit in case of fire, from churches,
9 schools, hotels, theaters, amphitheaters, asylums,
10 hospitals, health care facilities as defined in section
11 135C.1, college buildings, lodge halls, public meeting
12 places, and all other structures in which persons
13 congregate from time to time, whether publicly or
14 privately owned.

15 5. To promulgate fire safety regulations. The
16 state fire marshal shall have exclusive right to
17 promulgate fire safety regulations as they apply to
18 enforcement or inspection requirements by the state
19 fire marshal, but such regulations shall be promulgated
20 only after public hearing. Wherever by any statute
21 the fire marshal or the department of public safety
22 is authorized or required to promulgate, proclaim,
23 or amend rules and minimum standards regarding fire
24 hazards or fire safety or protection in any
25 establishment, building or structure, such rules and
26 standards shall promote and enforce fire safety, fire
27 protection and the elimination of fire hazards as
28 the same may relate to the use, and occupancy and
29 construction of such buildings, establishments or
30 structures. ~~The word "construction" shall include~~
31 ~~but is not limited to, electrical wiring, plumbing,~~
32 ~~heating, lighting, ventilation, construction materials,~~
33 These rules and standards shall relate to entrances
34 and exits, and all other physical conditions of the
35 building which may affect fire hazards, safety or
36 protection. Such rules and minimum standards shall
37 be in substantial compliance with the standards of
38 the National Fire Protection Association relating
39 to fire safety and fire hazards which threaten life
40 as published in the national fire codes."

S-5313 FILED - *Adopted 3/16 (p. 878)*
MARCH 10, 1976

BY JAMES W. GRIFFIN, SR.
EARL M. WILLITS

S-5329

1 Amend Senate File 1207 as follows:
 2 1. Page 2, by striking lines 1 through 7,
 3 and inserting in lieu thereof the following:
 4 "3. The standards, requirements and specifi-
 5 cations set forth in this Act shall not apply to
 6 buildings in unincorporated areas which are used and
 7 continued to be used primarily for agricultural pur-
 8 poses, nor to farmhouses or other farm buildings which
 9 are primarily adapted, by reason of nature and area,
 10 for use for agricultural purposes, while so used or
 11 while under construction for such use, unless such build-
 12 ings are dwellings which are factory built structures."

BY BERL. E. PRIEBE
 KENNETH D. SCOTT
 FORREST SCHWENGELS
 RAY TAYLOR

S-5329 FILED - *Adopted 3/16 (p. 877) 31-7*
 MARCH 15, 1976

S-5334

1 Amend Senate File 1207 as follows:
 2 Page 12, striking lines 3, 4 and 5 and inserting
 3 in lieu thereof the following:
 4 "The Department of Building Codes shall enforce
 5 the state building code as it applies to all buildings
 6 constructed by the state or on state property. A state
 7 agency may contract with local enforcement agencies
 8 with the approval of the commissioner to provide the
 9 services enumerated in this section."

S-5334 FILED & ADOPTED (879)
 MARCH 16, 1976

BY JAMES M. REDMOND

S-5330

1 Amend Senate File 1207, page 5, line 13, by
 2 adding after the word "Act" the following:
 3 "provided that at least three members of the
 4 council shall be local government officials
 5 directly responsible for the enforcement of
 6 building regulations";

S-5330 FILED & LOST 15-28 (p. 879)
 MARCH 16, 1976

BY RAY TAYLOR

SENATE FILE 1207

By COMMITTEE ON CITIES

Substituted for H.F. 1535

(As Amended and Passed by the Senate March 17, 1976)

Passed Senate, Date _____ Passed House, Date 4-26-76 (2205)

Vote: Ayes _____ Nays _____ Vote: Ayes 52 Nays 27

Approved _____ *Motion to reconsider (2208) on d 4/30 (2356)*

A BILL FOR

1 An Act establishing an Iowa building code, including a housing
2 code, establishing a separate department of building codes,
3 and providing penalties for violations.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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_____ = New Language
by the Senate

1 Section 1. NEW SECTION. This Act may be cited as the
2 "Iowa Building Code Act".

3 Sec. 2. NEW SECTION. LEGISLATIVE FINDINGS AND INTENT.
4 Uniformity of building codes and uniformity in procedures
5 for enforcing codes throughout the nation and the state are
6 matters of nationwide and statewide interest and concern in
7 that uniformity would increase the efficiency of the building
8 industry and further assure the safety of its products.

9 The use of new technologies, techniques, and materials
10 is enhanced by the utilization and application of uniform
11 building codes and uniform procedures for enforcing building
12 codes in this state, and would be further enhanced by wide-
13 spread reliance upon uniform and reasonable material specifica-
14 tions and the use of performance criteria.

15 The general assembly intends that the state administration
16 and enforcement of this Act shall be within the jurisdiction
17 of a single administrative agency.

18 Sec. 3. NEW SECTION: APPLICABILITY--ADOPTION PROCEDURE.

19 1. The standards, requirements and specifications set
20 forth in this Act shall apply to:

21 a. All buildings throughout the state paid for in whole
22 or in part by public moneys.

23 b. All factory built structures, recreational vehicles,
24 mobile homes, and mobile home parks throughout the state.

25 c. All buildings and construction owned by the state,
26 and all buildings constructed on state land.

27 d. All construction and buildings in each governmental
28 subdivision of the state which has adopted a building code.

29 2. Energy conservation standards and requirements pro-
30 mulgated under the authority of section eight (8), subsection
31 one (1), paragraph c of this Act, including those standards
32 and requirements related to thermal efficiency, shall apply
33 to all new buildings and construction throughout the state.
34 Standards relating to lighting efficiency shall apply as well
35 to all existing buildings which are open to the public.

1 3. The standards, requirements and specifications set
2 forth in this Act shall not apply to buildings in
3 unincorporated areas which are used and continue to be used
4 primarily for agricultural purposes, nor to farmhouses or
5 other farm buildings which are primarily adapted, by reason
6 of nature and area, for use for agricultural purposes, while
7 so used or while under construction for such use, unless such
8 buildings are dwellings which are factory built structures.

9 4. The state building code shall be applicable in each
10 governmental subdivision of the state in which the governing
11 body has adopted or enacted a resolution or ordinance accepting
12 the applicability of the code and shall have filed a certified
13 copy of the resolution or ordinance in the office of the
14 commissioner and in the office of the secretary of state.
15 The state building code shall become effective in the
16 governmental subdivision upon the date fixed by the
17 governmental subdivision resolution or ordinance. The
18 effective date shall be no later than six months after the
19 date of adoption of the resolution or ordinance.

20 Sec. 4. NEW SECTION. DEFINITIONS. As used in this Act,
21 unless a different meaning is clearly indicated by the context:

22 1. "Building" means any combination of materials which
23 comprises a structure, whether portable or fixed, affording
24 facilities or shelter for any use or occupancy. The word
25 "building" shall be construed as if followed by the words
26 "or part or parts thereof and all equipment therein" unless
27 the context clearly requires a different meaning.

28 2. "Commissioner" means the commissioner of the department
29 of building codes.

30 3. "Construction" means the erection, fabrication, recon-
31 struction, demolition, alteration, conversion, or repair of
32 a building, or the installation of equipment therein.

33 4. "Council" means the building code council of the
34 department of building codes.

35 5. "Department" means the department of building codes.

1 6. "Equipment" means facilities or installations,
2 including, but not limited to, plumbing, heating, electrical,
3 ventilation, air conditioning and refrigeration facilities,
4 elevators, dumbwaiters, escalators, boilers, fire protection
5 systems or equipment and pressure vessels.

6 7. "Local enforcement agency" means an agency of local
7 government with authority to make inspections of buildings
8 and to enforce the laws, ordinances, and rules enacted by
9 the state and by the local government which establish standards
10 and requirements applicable to the construction, alteration,
11 repair, occupancy, or demolition of buildings.

12 8. "Local government" means a county, city, or combination
13 thereof with authority to establish standards and requirements
14 applicable to the construction, alteration, repair, occupancy,
15 or demolition of buildings.

16 9. "Factory built structure" means any building which
17 is of closed construction and which is made or assembled in
18 manufacturing facilities, on or off the building site, for
19 installation, or assembly and installation, on the building
20 site. "Factory built structure" also means any building of
21 open construction for which certification under this Act is
22 sought by the manufacturer and which is made or assembled
23 in manufacturing facilities away from the building site for
24 installation, or assembly and installation, on the building
25 site.

26 10. "Mobile home system" means plans, specifications,
27 and documentation for a system of mobile homes, which may
28 include structural, electrical, mechanical, plumbing and fire
29 protection systems, and other systems affecting health and
30 safety, including variations which are submitted as part of
31 the mobile home system.

32 11. "Recreational vehicle" means a vehicular unit primarily
33 designed as temporary living quarters for recreational,
34 camping, or travel use, which either has its own motive power
35 or is designed to be mounted on or drawn by another vehicle.

1 12. "Closed construction" means any structure, building,
2 component, assembly or system manufactured in such a manner
3 that all portions cannot be readily inspected at the in-
4 stallation site without being disassembled, damaged, or
5 destroyed.

6 13. "Open construction" means any structure, building,
7 component, assembly or system manufactured in such a man-
8 ner that all portions can be readily inspected at the in-
9 stallation site without being disassembled, damaged, or
10 destroyed.

11 Sec. 5. NEW SECTION. DEPARTMENT CREATED. There is created
12 a department of building codes. The chief administrative
13 officer of the department shall be the commissioner of building
14 codes, who shall be appointed by the governor, with the
15 approval of two-thirds of the members of the senate, and shall
16 serve at the governor's pleasure.

17 The commissioner shall be selected on the basis of his
18 technical and administrative abilities at an annual salary
19 as fixed by the general assembly. The appointment or removal
20 of the commissioner shall not be subject to the provisions
21 of chapter nineteen A (19A) of the Code.

22 Sec. 6. NEW SECTION. COMMISSIONER'S DUTIES. The com-
23 missioner shall:

24 1. Recommend to the council the adoption of rules that
25 are necessary for the effective administration of the
26 department.

27 2. Direct and administer the programs and services of
28 the department in compliance with the rules adopted by the
29 council.

30 3. Perform other duties assigned by the council.

31 4. Prepare, with council approval, the budget request
32 for the department.

33 5. Appoint with the approval of the council the technical,
34 professional, secretarial, and clerical staff necessary to
35 accomplish the purposes of this Act, subject to the provisions

1 of chapter nineteen A (19A) of the Code.

2 6. Be authorized to appoint a member of his staff to be
3 acting commissioner in his absence. The acting commissioner
4 shall have the powers delegated to him by the commissioner.

5 The commissioner and other employees of the department
6 shall receive, in addition to salary, their necessary expenses
7 when engaged in the performance of official business.

8 7. Administer and enforce the provisions of chapter one
9 hundred four A (104A) of the Code.

10 Sec. 7. NEW SECTION. BUILDING CODE COUNCIL. A building
11 code council is created. The council shall consist of seven
12 members who are qualified by experience or training to provide
13 a broad or specialized expertise on matters pertaining to
14 areas subject to this Act.

15 Members of the council shall be appointed by the governor
16 for four-year terms of office and shall serve until qualified
17 successors are appointed. No more than four members of the
18 council shall be of the same political affiliation. The state
19 building code advisory council members appointed under section
20 one hundred three A point fourteen (103A.14) of the Code shall
21 continue to serve as members of the council created by this
22 section until their terms expire, or until vacancies otherwise
23 occur, at which times the governor shall appoint new members.

24 Members of the council shall receive a per diem of forty
25 dollars for each day actually spent attending to the business
26 of the council and be compensated for necessary expenses
27 incurred in the performance of their duties.

28 The council shall meet at the written request of the
29 commissioner or of three or more members of the council.

30 The council shall establish rules for its internal
31 operation. The council may establish committees and provide
32 funding.

33 The council shall be part of the department of building
34 codes and shall exercise its powers, duties, and functions
35 independently of the department of building codes, except

1 that all budgeting, procurement, and related functions shall
2 be under the direction and supervision of the commissioner
3 of the department of building codes.

4 A member shall not act as a member of the council or vote
5 as such in connection with any matter in which he has a private
6 interest.

7 Sec. 8. NEW SECTION. POWERS OF COUNCIL AND COMMISSIONER.

8 1. The commissioner shall, and any other interested party
9 may propose rules. The council shall adopt and may amend
10 or repeal rules, subject to chapter seventeen A (17A) of the
11 Code. After adoption by the council, the commissioner shall
12 publish, administer, and enforce the rules. The rules shall
13 cover the following:

14 a. The construction and inspection of all buildings and
15 structures which are subject to the state building code.

16 b. The use or occupancy of buildings.

17 c. Standards and requirements for materials and equip-
18 ment to be used in buildings including, but not limited to,
19 standards and requirements for safety, noise insulation and
20 abatement, energy conservation, ingress and egress, and
21 sanitary conditions.

22 d. Standards, specifications, and requirements for the
23 manufacture of factory built structures and building
24 components, mobile homes and recreational vehicles.

25 e. Standards, specifications, and requirements for instal-
26 lation of factory built structures, components and mobile
27 homes.

28 f. Requirements for building systems and compliance as-
29 surance programs.

30 g. Standards, specifications, and requirements for a state
31 housing code applicable to new and existing dwellings, and
32 provisions for its enforcement.

33 h. Standards, specifications and requirements for mobile
34 home park and recreational vehicle park installations.

35 i. Standards, specifications and requirements for fire

1 prevention and safety in buildings and structures and
2 provisions for their enforcement.

3 j. Standards, specifications, requirements, and provisions
4 for enforcement for making buildings and facilities accessible
5 to and usable by the handicapped.

6 k. The establishment of classifications of fire zones
7 pursuant to section thirteen (13), subsection two (2), of
8 this Act.

9 1. The administration and enforcement of this Act.

10 2. The commissioner shall propose and the council shall
11 adopt the codes, standards, and requirements which apply to
12 buildings and are promulgated by such organizations as the
13 building officials and code administrators international,
14 inc., international conference of building officials, southern
15 building code congress, council of american building officials,
16 and other nationally recognized organizations including
17 governmental agencies, if the council determines that any
18 such code meets the following requirements:

19 a. Its adoption will not substantially reduce regional
20 uniformity of building regulations.

21 b. It does not discriminate against particular tech-
22 nologies, techniques, and materials.

23 c. It does not unnecessarily increase the cost of
24 construction in the state.

25 d. It will protect the public health, safety, and welfare
26 within the state.

27 e. The state may participate in the code modification
28 proceedings of the model code group whose code is proposed
29 to be adopted.

30 If the council determines that all of the codes fail to
31 meet one or more of the requirements, the council shall adopt
32 a code which is comprised of one or more of the model codes,
33 or which is amended to the extent necessary to meet the
34 requirements.

35 3. The council shall:

1 a. Establish procedures for implementation of the transi-
2 tion from chapters one hundred three A (103A) and four hundred
3 thirteen (413) of the Code to this Act.

4 b. Hold a public hearing prior to adopting any rule,
5 following adequate public notice.

6 c. Make a continual study of the operation of the Iowa
7 building code and other laws relating to the construction
8 of buildings to ascertain their effect upon the cost of
9 building construction and determine the effectiveness of their
10 provisions.

11 d. Hear appeals pursuant to section fifteen (15) of this
12 Act.

13 e. Decide, upon application by a private party or a local
14 enforcement agency, that new technologies, techniques, and
15 materials which have been tested, where necessary, and found
16 to meet the objectives of the Iowa building code, shall be
17 deemed to meet that code. These determinations are binding
18 upon all local enforcement agencies throughout the state
19 unless otherwise qualified by the council.

20 4. The council or commissioner may:

21 a. Require or provide for the testing of materials,
22 devices, and methods of construction.

23 b. Appoint experts, consultants, technical advisors, and
24 advisory committees for assistance and recommendations relative
25 to the formulation of the Iowa building code.

26 c. Formulate rules for the issuance and revocation of
27 permits for building construction, occupancy permits, and
28 occupational licenses.

29 Sec. 9. NEW SECTION. IOWA BUILDING CODE.

30 1. The rules published pursuant to section eight (8) of
31 this Act shall comprise and collectively be known as the Iowa
32 building code.

33 2. The Iowa building code shall be designed to achieve
34 the following specific objectives:

35 a. Provide uniform standards and requirements for con-

1 construction and construction materials.

2 b. To the extent practicable, set forth the standards,
3 specifications, and requirements in terms of performance
4 objectives, to facilitate the use of new technologies,
5 techniques, and materials. Preference shall be given to
6 standards reasonably consistent with those of other states.

7 3. Until one hundred eighty days after adoption of the
8 Iowa building code by a local government, any local building
9 regulations shall continue in effect unless repealed. There-
10 after, local building regulations shall be void and of no
11 effect, except as powers are reserved to local government
12 in section ten (10) of this Act. A building permit validly
13 issued pursuant to local building regulations within one
14 hundred eighty days after adoption of the Iowa building code
15 by the local government is valid thereafter and the
16 construction of a building may be completed pursuant to and
17 in accordance with the permit. In an area of the state which
18 had no building regulations, or did not require building
19 permits, the construction of a building started before adoption
20 of the Iowa building code by the local government may be
21 completed without a building permit.

22 4. Until one hundred eighty days after adoption of the
23 Iowa building code, building codes promulgated by a state
24 board, department, commission, or agency shall continue in
25 effect unless repealed. Thereafter, such building codes shall
26 be void and of no effect.

27 Sec. 10. NEW SECTION. LOCAL EXEMPTIONS.

28 1. A local government which, prior to the adoption of
29 this Act, has adopted and is enforcing a nationally recognized
30 model building code as its building ordinance, may apply to
31 the council to be allowed to continue to enforce its building
32 ordinance and to be exempted from the provisions of the Iowa
33 building code. After approval by the council, or after final
34 decision by the district court in favor of exemption after
35 appeal of an adverse decision by the council, the ordinance

1 shall be so exempted. The council shall support its decisions
2 on such applications with written findings in accordance with
3 the provisions of subsection two (2) of this section.

4 2. The council shall grant an application for exemption
5 if it is established to the satisfaction of the council that:

6 a. The ordinance is sufficiently consistent with the Iowa
7 building code so that its application will not substantially
8 reduce statewide or regional uniformity of building codes.

9 b. The ordinance does not unnecessarily discriminate
10 against particular technologies, techniques, or materials.

11 c. The ordinance does not unnecessarily increase the cost
12 of construction in the jurisdiction.

13 d. The ordinance is the current edition of a nationally
14 recognized model building code.

15 e. Enforcement of the ordinance, as it may differ from
16 the Iowa building code, is necessary to protect the public
17 health, safety, and welfare within the applicable jurisdiction.
18 In determining whether the ordinance meets the above require-
19 ments, the council shall obtain the advice and counsel of
20 the department of building codes.

21 3. A decision of the council approving or disapproving
22 an application, or failure of the council to act within a
23 reasonable time, may be appealed to the district court.

24 4. If an application is approved, the local government
25 shall thereafter maintain its building ordinance up to date.
26 The local government may do so by adopting, without change,
27 such improvements, amendments, and research findings as may
28 be issued by the national model code organization within one
29 year of the issuance thereof. If the local government wishes
30 to amend the nationally recognized model code in any other
31 manner, it shall submit the proposed amendment, and findings
32 of fact in support thereof, to the council. The council shall
33 approve the amendment if the local government establishes
34 to the council's satisfaction that it meets the criteria set
35 forth in subsection two (2) of this section and is necessary

1 to account for conditions peculiar to the jurisdiction.
2 Should an exempted local government fail to maintain its code
3 up to date, or amend its code in violation of this section,
4 and fail to remedy the situation within a reasonable time
5 after due notice, the council shall revoke the local
6 government's exemption and the Iowa building code shall be
7 enforced in that jurisdiction. Any decision of the council
8 approving or disapproving such an amendment or revoking a
9 local government's exemption shall be final for purposes of
10 seeking judicial review.

11 5. A local government which has been exempted under this
12 section may upon public notice repeal its building ordinance
13 and will thereafter be covered by the Iowa building code.

14 Sec. 11. NEW SECTION. LOCAL VARIATIONS. A local
15 government may propose to the council variations in the Iowa
16 building code, for application within its jurisdiction, to
17 cover unique local conditions requiring special or different
18 building standards. The council shall adopt such variations
19 if it is established to the council's satisfaction that:

20 1. The proposed variation is sufficiently consistent with
21 the Iowa building code so that its application will not
22 substantially reduce statewide uniformity of building codes.

23 2. The proposed variation does not discriminate against
24 particular technologies, techniques, or materials.

25 3. The proposed variation does not unnecessarily increase
26 the cost of construction in the jurisdiction.

27 4. The proposed variation does not substantially reduce
28 the standards of public health, safety, and welfare within
29 the jurisdiction.

30 Sec. 12. NEW SECTION. ADMINISTRATION.

31 1. In areas where local enforcement agencies have
32 jurisdiction, the commissioner shall not enforce the Iowa
33 building code. In such areas, the local enforcement agencies
34 are responsible for the examination and approval or disapproval
35 of plans and specifications, the issuance and revocation of

1 building permits, licenses, certificates, and similar
2 documents, and the inspection of buildings pursuant to the
3 provisions of the Iowa building code.

4 The Department of Building Codes shall enforce the state
5 building code as it applies to all buildings constructed by
6 the state or on state property. A state agency may contract
7 with local enforcement agencies with the approval of the
8 commissioner to provide the services enumerated in this
9 section.

10 2. Within one hundred eighty days after the adoption of
11 the Iowa building code, a local government shall create, where
12 necessary, a local enforcement agency and shall employ and
13 designate a building official as well as code enforcement
14 officers deemed necessary to assist the enforcement agency
15 in carrying out its functions under this section. The
16 administrative chief of the local enforcement agency shall
17 be called the building official.

18 3. If a local government has not adopted the state building
19 code the department of building codes shall enforce the state
20 building code as it applies in that jurisdiction. If a local
21 government has adopted the state building code but has not
22 established a local enforcement agency, the department of
23 building codes shall enforce the Iowa building code in that
24 jurisdiction until the local government has appointed the
25 necessary personnel.

26 4. Local governments shall appoint local appeals boards
27 to hear appeals brought in accordance with section fifteen
28 (15), subsection two (2) of this Act. Until the boards are
29 established, appeals shall be heard by the council. A
30 sufficient number of members shall be appointed to allow
31 appeals to be heard promptly by panels of not less than three
32 members, all of whom shall be free of conflicts of interest
33 in the cases before them. A local government shall be relieved
34 of the duty to appoint local appeals boards if it establishes
35 to the satisfaction of the council that a sufficient number

1 of qualified people cannot be found in the jurisdiction or
2 through cooperation with neighboring jurisdictions.

3 5. Two or more local governments may establish a local
4 enforcement agency or a local appeals board to serve their
5 jurisdictions, and in this event they shall share
6 proportionately the expenses incurred.

7 6. The department of building codes shall, upon request,
8 assist a local enforcement agency in such matters as tech-
9 nical assistance, code interpretation, education, training,
10 personnel, and information collection and dissemination.

11 7. Except as otherwise provided in the Iowa building code,
12 the construction of a building shall not begin until a building
13 permit is issued. Upon submission of an application to a
14 local enforcement agency, if the building proposed to be
15 erected will comply with this Act and the Iowa building code,
16 a permit shall be issued. A local enforcement agency may
17 suspend or revoke a building permit if the building under
18 construction pursuant thereto does not comply with this Act
19 or the Iowa building code.

20 8. A local enforcement agency shall periodically inspect
21 all construction undertaken pursuant to building permits
22 issued by that agency to assure compliance with this Act and
23 the Iowa building code. The applicant for a building permit
24 for a building under construction, who shall be the owner
25 or his authorized agent, is deemed to have consented to
26 inspection by a local enforcement agency by the act of applying
27 for a building permit. In addition to other inspections
28 provided for in this Act, an inspection may be made of any
29 building at any time if a local enforcement agency has probable
30 cause to believe that a condition hazardous to life or property
31 exists. If a building is found not to comply with the Iowa
32 building code, the local enforcement agency shall notify the
33 permittee in writing to bring the building into compliance
34 with the Iowa building code, or to secure it from entry, or
35 both. If the permittee fails to comply with the notification,

1 the local enforcement agency shall revoke the permit.

2 9. A building constructed after the effective date of
3 the Iowa building code shall not be used or occupied until
4 a certificate of occupancy has been issued. Upon submission
5 of an application for a certificate of occupancy to a local
6 enforcement agency, a certificate of occupancy shall be issued,
7 if the building to which the application pertains has been
8 constructed in accordance with the building permit, the Iowa
9 building code, and other applicable laws and ordinances.

10 Sec. 13. NEW SECTION. RESERVATION OF LOCAL ZONING AND
11 RELATED POWERS.

12 1. Except as provided by or pursuant to this Act, land
13 use zone requirements, building setback requirements, side
14 and rear yard requirements, site development, and property
15 line requirements are specifically and entirely reserved to
16 local government.

17 2. The council shall establish classifications of fire
18 zones. Local governments shall establish precise boundaries
19 for fire zones within their jurisdictions.

20 Sec. 14. NEW SECTION. FEES.

21 1. The council shall establish a schedule of fees for
22 the functions performed by the council and the commissioner
23 in connection with the administration and enforcement of this
24 Act and publish it in the Iowa building code. The amount
25 of the fees shall be based, to the extent reasonable, on the
26 cost of performing functions undertaken pursuant to this Act.

27 2. Each local government may establish a schedule of fees
28 for the functions performed by the local enforcement agency
29 in connection with the enforcement of this Act. Local fees
30 shall apply to state-owned buildings and state construction
31 within the local jurisdiction.

32 Sec. 15. NEW SECTION. APPEALS.

33 1. The council shall promptly hear and decide appeals
34 brought by any person or party in an individual capacity,
35 or on behalf of a class of persons or parties, affected by

1 any rule or decision pursuant to this Act. Final decisions
2 by the council are reviewable on appeal to the district court.

3 2. Prior to appeal to the council, appeals of decisions
4 or rulings of a local enforcement agency shall be heard by
5 the appropriate local appeals board. If there is no local
6 appeals board for the jurisdiction, appeals shall be taken
7 directly to the council.

8 Sec. 16. NEW SECTION. INJUNCTIVE RELIEF. The commissioner
9 or the local enforcement agencies may obtain injunctive relief
10 from any court of competent jurisdiction to enjoin the offering
11 for sale, sale, delivery, use, occupancy, erection, alteration,
12 or installation of any building covered by this Act, upon
13 an affidavit specifying the manner in which the building does
14 not conform to the requirements of this Act or the Iowa
15 building code.

16 Sec. 17. NEW SECTION. PENALTIES.

17 1. A party who fails to comply with the provisions of
18 this Act or of the state building code within a reasonable
19 time of notification of the violation shall be subject to
20 a fine of not more than one hundred dollars for each offense.

21 2. A separate violation is deemed to have occurred with
22 respect to each building not in compliance with the Act or
23 the Iowa building code. Each day the violation continues
24 constitutes a separate violation.

25 Sec. 18. Section one hundred point one (100.1), subsection
26 four (4), paragraph d, and subsection five (5), Code 1975,
27 are amended to read as follows:

28 d. ~~The electric wiring and heating, and adequate~~ Adequate
29 means of exit in case of fire, from churches, schools, hotels,
30 theaters, amphitheaters, asylums, hospitals, health care
31 facilities as defined in section 135C.1, college buildings,
32 lodge halls, public meeting places, and all other structures
33 in which persons congregate from time to time, whether publicly
34 or privately owned.

35 5. To promulgate fire safety regulations. The state fire

1 marshal shall have exclusive right to promulgate fire safety
 2 regulations as they apply to enforcement or inspection
 3 requirements by the state fire marshal, but such regulations
 4 shall be promulgated only after public hearing. Wherever
 5 by any statute the fire marshal or the department of public
 6 safety is authorized or required to promulgate, proclaim,
 7 or amend rules and minimum standards regarding fire hazards
 8 or fire safety or protection in any establishment, building
 9 or structure, such rules and standards shall promote and
 10 enforce fire safety, fire protection and the elimination of
 11 fire hazards as the same may relate to the use, and occupancy
 12 and construction of such buildings, establishments or
 13 structures. The word "construction" shall include, but is
 14 not limited to, electrical wiring, plumbing, heating, lighting,
 15 ventilation, construction materials. These rules and standards
 16 shall relate to entrances and exits, and all other physical
 17 conditions of the building which may affect fire hazards,
 18 safety or protection. Such rules and minimum standards shall
 19 be in substantial compliance with the standards of the National
 20 Fire Protection Association relating to fire safety and fire
 21 hazards which threaten life as published in the national fire
 22 codes.

23 Sec. 19. Section one hundred four point two (104.2), Code
 24 1975, is amended to read as follows:

25 104.2 SCOPE OF CHAPTER. The provisions of this chap-
 26 ter shall not apply to any facility installed in any single
 27 private dwelling residence, to facilities subject to regulation
 28 under I.D.R. (1973 and supplements), chapter 26 of the bureau
 29 of labor rules (regulation 29 C.F.R. 1926.552), to manlifts
 30 subject to regulation under chapter 88 or to facilities over
 31 which an agency of the federal government is asserting similar
 32 enforcement jurisdiction. Provisions of this chapter supersede
 33 similar provisions contained in building codes of this state
 34 or any subdivision thereof, except as provided in section
 35 one hundred four point three (104.3) of the Code.

1 Sec. 20. Section one hundred four point three (104.3),
2 subsection one (1), Code 1975, is amended to read as follows:

3 104.3 PROMULGATION OF RULES.

4 1. The commissioner may adopt rules governing maintenance,
5 ~~construction, alteration, and installation of facilities,~~
6 and the inspection and testing of new and existing
7 installations as necessary to provide for the public safety,
8 and to protect the public welfare.

9 The building code council may, with the concurrence of
10 the commissioner, adopt, amend or repeal rules providing for
11 construction of new facilities and alteration of existing
12 facilities. These rules shall be a part of the state building
13 code.

14 The commissioner shall adopt, amend, or repeal rules
15 pursuant to chapter 17A as he deems necessary for the execution
16 of his duties under this chapter, which shall include, but
17 not be limited to, rules providing for:

18 a. Classifications of types of facilities.

19 b. Maintenance, inspection, testing, and operation of
20 the various classes of facilities.

21 ~~c. Construction of new facilities.~~

22 ~~d. Alteration of existing facilities.~~

23 e c. Minimum safety requirements for all existing
24 facilities.

25 f d. Control or prevention of access to facilities or
26 dormant facilities.

27 g e. The reporting of accidents and injuries arising from
28 the use of facilities.

29 h f. The specification of hearing and appeal procedures
30 used by the commissioner.

31 i g. Qualifications for obtaining an inspector's license.

32 j h. The adoption of procedures for the issuance of
33 variances.

34 k i. The amount of fees charged and collected for
35 inspection, permits, and licenses.

1 This bill establishes a uniform state building code based
2 upon model codes and transfers the building code council and
3 commissioner, charged with its promulgation and enforcement,
4 from the office for planning and programming to a department
5 of building codes.

6 The building code will apply to all factory built
7 structures, mobile home parks, recreational vehicles, state-
8 owned buildings and public buildings throughout the state,
9 and will be applicable statewide with respect to energy
10 conservation regulations and to regulations governing
11 accessibility for handicapped persons. The code will apply
12 to all buildings and construction, except farm buildings and
13 dwellings, in governmental subdivisions which adopt it.

14 The bill also provides for a housing code for new and
15 existing dwellings, and transfers the promulgation of rules
16 governing plumbing construction, elevator construction, and
17 fire safety in building construction to the building code
18 department.

19 A local government which is enforcing a model code may
20 apply for exemption, and local enforcement agencies which
21 enforce the state code may propose variations. Injunctive
22 relief and criminal penalties are provided.

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SF 1207
mr/slc/83
LSB 4130/31

HOUSE AMENDMENT TO SENATE FILE 1207

S-5706

1 Amend Senate File 1207, as passed by the Senate
2 and reprinted as follows:

3 1. Page 1, by striking all of lines 9 through
4 14 and inserting in lieu thereof the following:

5 "The cost of conventional housing has risen to
6 a height that effectively prevents many families
7 from purchasing homes. This is a serious social
8 and economic problem. A goal of this Act is to
9 minimize the cost of acceptable housing, consistent
10 with the need to maintain the public health and
11 welfare. Therefore, administration of this Act
12 will include a continuing imaginative program to
13 seek out, evaluate and promote new concepts, new
14 materials and new techniques which show promise
15 of reducing costs and providing better housing to
16 the citizens of this state."

17 2. Page 1, by striking lines 21 and 22 and
18 inserting in lieu thereof the following:

19 "a. All public buildings constructed by any
20 political subdivision of the state."

21 3. Page 1, line 23, by striking the words
22 "recreational vehicles," and inserting in lieu
23 thereof the word "including".

24 4. Page 1, by striking line 34 and inserting in
25 lieu thereof the words "Standards relating to
26 adequate lighting coupled with efficiency in sources
27 of light energy shall apply as well".

28 5. Page 1, by inserting after line 35 the
29 following new subsection:

30 "3. The standards, specifications and requirements
31 of a housing code promulgated under section eight (8),
32 subsection one (1), paragraph g, of this Act shall
33 apply to every city which, by the last federal
34 census, had a population of fifteen thousand or
35 more."

36 6. By renumbering the remaining subsections of
37 section 3.

38 7. Page 2, line 1, by striking the word "The" and
39 inserting in lieu thereof the following: "Except
40 for the provisions of section three (3), subsection
41 two (2), the".

42 8. Page 2, line 9, by inserting after the word
43 "The" the words "appropriate divisions of the".

44 9. Page 2, line 12, by inserting after the word
45 "of" the words "one or more divisions of".

46 10. Page 2, line 15, by inserting after the word
47 "The" the words "applicable divisions of the".

48 11. Page 2, by striking lines 23 and 24 and
49 inserting in lieu thereof the following:

50 "comprises a structure affording facilities

S-5706
PAGE 2

1 or shelter for human use or occupancy. The word".
2 12. Page 3, line 31, by inserting after the
3 period the following: "Certification of manu-
4 facturing companies by the department of housing
5 and urban development, federal housing administra-
6 tion, or other accepted inspection agencies shall
7 qualify "mobile home systems".

8 Inspection fees shall only be imposed when no
9 previous inspection has been performed under
10 "mobile home systems" criteria."

11 13. Page 5, line 12, by striking the word "who"
12 and inserting in lieu thereof the words ", three
13 of whom".

14 14. Page 5, line 14, by inserting after the
15 word "Act." the following:

16 "Two members shall be local building officials
17 directly responsible for enforcement of the code,
18 and two members shall represent the general public."

19 15. Page 6, lines 19 and 20 by striking the
20 words "noise insulation and abatement,".

21 16. Page 6, by striking line 24 and inserting
22 in lieu thereof the words "components and mobile
23 homes."

24 17. Page 6, line 32, by inserting after the word
25 "enforcement." the following: "A state housing
26 code shall not apply to existing single-family
27 residences occupied by the owner or the owner's
28 family."

29 18. Page 6, line 32, by inserting after the
30 word "enforcement." the following: "A housing or
31 building code shall not prohibit a person or family
32 from using their own personal labor to build, equip
33 or modify a single-family residence for their own
34 use. This provision shall not abrogate any rights
35 of a political subdivision to inspect the premises
36 and regulate the use of such personal labor to
37 build, equip or modify a single-family residence for
38 their own use."

39 19. Page 7, line 5, by inserting after the word
40 "handicapped." the following:

41 "Rules adopted to implement this paragraph shall
42 recognize the need for a reasonable balance between
43 benefits to the handicapped and the cost of achieving
44 these benefits, and shall permit individual cases
45 to be decided on their merits."

46 20. Page 7, by adding after line 8 the following
47 new subparagraph:

48 "1. Policy relating to maintenance and re-
49 storatation of buildings of historic interest. This
50 policy shall permit great latitude in design,

- 1 materials, and techniques to insure historic
2 authenticity."
3 21. By renumbering the remaining subparagraph.
4 22. Page 7, line 10, by striking both of the
5 words "shall" and inserting in lieu thereof the
6 words "may".
7 23. Page 7, line 16, by striking the words
8 "nationally recognized" and inserting in lieu
9 thereof the words "national and state".
10 24. Page 7, line 22, by inserting after the
11 word "techniques," the word "trades".
12 25. Page 7, line 22, by striking the word "and"
13 and inserting in lieu thereof the word "or".
14 26. Page 8, by striking lines 27 and 28 and
15 inserting in lieu thereof the words "permits for
16 building construction and occupancy permits."
17 27. Page 9, by inserting after line 26 the
18 following:
19 "5. The building code commissioner shall
20 immediately notify all local governments of revisions
21 adopted as part of the state building code. Unless
22 the local government files a request for local
23 variation with respect to these revisions within
24 ninety days of the date of notification by the
25 commissioner, the local government shall be held
26 responsible for enforcing the revisions so adopted."
27 28. Page 10, line 10, by inserting after the
28 word "techniques," the word "trades".
29 29. Page 12, line 20, by striking the words
30 "If a local" and lines 21 through 25.
31 30. Page 13, line 32, by inserting after the
32 word "code," the following: "to the extent that
33 it is hazardous to life or property,".
34 31. Page 13, line 34, by inserting after the
35 word "code," the following: "to the extent that
36 it will no longer be hazardous to life or property,".
37 32. Page 14, by inserting after line 9 the
38 following new subsections:
39 "10. Where the housing code provisions of this
40 Act are applicable, no existing rented or leased
41 dwelling shall be occupied in whole or in part until
42 the issuance of a certificate of occupancy by the
43 local enforcement agency indicating that such
44 dwelling conforms to the provisions of section eight
45 (8), subsection one (1), paragraph g, of this Act
46 or applicable local ordinance. The requirements of
47 this section shall be satisfied by an existing
48 certificate of occupancy.
49 11. If any dwelling occupied in whole or in part
50 is in violation of subsection ten (10) of this section,

1 no rent shall be recoverable by the owner or
2 lessee of such premises for the period of unlawful
3 occupation, and no action or special proceeding
4 shall be maintained therefor or for possession
5 of the premises for nonpayment of rent, and the
6 premises shall be deemed unfit for human habitation
7 and an order to vacate may be issued. Nothing in
8 this section shall be construed to prohibit
9 termination of tenancy pursuant to section five
10 hundred sixty-two point four (562.4) of the Code."

11 33. Page 14, line 26, by adding after the
12 word "Act." the words "Such fees shall be deposited
13 in the state general fund."

14 34. Page 14, line 31, by inserting after the
15 word "jurisdiction" the following: "unless
16 inspected by the state pursuant to section twelve
17 (12), subsection one (1) of this Act".

18 35. Page 14, line 31, by adding after the word
19 "jurisdiction." the words "Such fees shall be de-
20 posited in the local government's general fund."

21 36. Page 15, by striking lines 8 through 15 and
22 inserting in lieu thereof the following:

23 "Sec. 16. NEW SECTION. INJUNCTIVE RELIEF. The
24 commissioner or the local enforcement agencies may
25 obtain injunctive relief from any court of competent
26 jurisdiction to enjoin the occupancy other than
27 owner-occupancy, erection, alteration, or installation
28 of any building covered by this Act, or to enjoin
29 the offering for sale, sale, delivery, use, occupancy,
30 erection, alteration, or installation of any factory
31 built structure covered by this Act, upon an
32 affidavit specifying the manner in which the building
33 does not conform to the requirements of this Act or
34 the Iowa building code."

35 37. Page 15, line 20, by striking the word "one"
36 and inserting in lieu thereof the word "five".

37 38. Page 15, line 23, by striking the words "Each
38 day the violation continues" and line 24.

39 39. Page 18, by striking lines 4 through 29.

40 40. Page 18, line 32, by inserting after the
41 figures "(135.14)," the words and figures "one hundred
42 thirty-five point fifteen (135.15),".

43 41. Page 18, line 34, by striking the period and
44 inserting in lieu thereof the following:

45 "effective on the date that the state building
46 code developed under the provisions of this Act
47 becomes effective."

48 42. Page 18, by inserting after line 34 the
49 following new section:

50 "Sec. . . . Section six hundred fourteen point

1 One (614.1), Code 1975, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. IMPROVEMENTS TO REAL PROPERTY.
4 In no event shall any action arising out of the
5 unsafe or defective condition of an improvement to
6 real property, whether in contract or tort, and
7 founded on injury to property, real or personal, or
8 injuries to the person or wrongful death, be brought
9 more than ten years after the date on which occurred
10 the act or omission of the defendant alleged in.
11 the action to have been the cause of the injury or
death complained of."

Rec'd from the House

H-6299

1 Amend Senate File 1207 as follows:

2 1. Page 1, by inserting after line 28 the following
3 lettered paragraph:

4 "___". The construction of all sewer systems and
5 the review of the necessary plans and specifications
6 pertaining to such construction in each governmental
7 subdivision of the state."

8 2. Page 2, by inserting after line 18 the following
9 unnumbered paragraph:

10 "The rules adopted which directly pertain to the
11 construction of sewer systems and the review of plans
12 and specifications for such construction shall be
13 known as the Iowa Standards for Sewage Systems and
14 shall be applicable in each governmental subdivision
15 of the state notwithstanding section nine (9) of this
16 Act."

17 3. Page 2, by inserting after line 34 the following
18 subsection:

19 "___". "Disposal System" means a system for disposing
20 of sewage, industrial waste, and other wastes and
21 includes sewer systems, treatment works, and dispersal
22 systems."

23 4. Page 3, line 6, by inserting after the word
24 "buildings" the words "and sewers".

25 5. Page 3, line 14, by inserting after the word
26 "buildings" the words "and sewers".

27 6. Page 3, by inserting after line 34 the following
28 subsections:

29 "___". "Sewer System" means pipelines or conduits,
30 pumping stations, force mains, and all other
31 construction, devices, and appliances appurtenant
32 thereto used for conducting sewage or industrial waste
33 or other wastes to the point of ultimate disposal.

34 "___". "Sewer Extensions" means pipelines or conduits
35 constituting lateral sewers or trunk sewers or
36 interceptor sewers of a size smaller than a twenty-
37 four inch diameter used for conducting sewage or
38 industrial waste or other wastes to a larger
39 interceptor sewer and eventually to a point of ultimate
40 disposal.

41 "___". "Treatment Works" means any plant, disposal
42 field, lagoon, holding or flow-regulating basin,
43 pumping station, or other works installed for the
44 purpose of treating, stabilizing, or disposing of
45 sewage, industrial waste, or other wastes."

46 7. Page 7, by inserting after line 33 the following
47 subsection:

48 "___". The council shall formulate and adopt specific
49 and detailed statewide standards for review of plans
50 and specifications and the construction of waste water

1 disposal systems and parts and extensions of such
2 systems not later than October 1, 1977. The standards
3 shall be based on criteria contained in the
4 "Recommended Standards for Sewage Works" (Ten States
5 Standards) as adopted by the Great Lakes-Upper
6 Mississippi River board of state sanitary engineers,
7 design manuals published by the council, applicable
8 federal guidelines and standards, standard textbooks,
9 current technical literature, and applicable safety
10 standards."

11 8. Page 8, line 2, by inserting after the number
12 "(413)" the words "and four hundred fifty-five B
13 (455B)".

14 9. Page 8, line 4, by inserting after the word
15 "notice" the words "in accordance with chapter
16 seventeen A (17A) of the Code".

17 10. Page 8, by inserting after line 18 the
18 following lettered paragraph:

19 " . Conduct random inspections of work done by
20 local enforcement agencies and local public works
21 departments to ensure such local agencies are complying
22 with this Act. If a county or city agency is not
23 complying with this section in reviewing plans and
24 specifications or in granting permits or both, the
25 department shall perform these functions in that
26 jurisdiction until the local agency is able to perform
27 them."

28 11. Page 12, by inserting after line 13 the
29 following subsection:

30 " . Beginning as soon as the council has
31 formulated and adopted sewer standards pursuant to
32 section eight (8) of this Act, plans and specifications
33 for sewer extensions shall be submitted to the city
34 or county public works department for approval if
35 the local public works department has a registered
36 engineer who reviews the plans and specifications
37 using the specific statewide standards contained in
38 the Iowa standards for sewage systems. The local
39 agency shall issue a written permit to construct if
40 the submitted plans and specifications meet these
41 standards. However, no permit shall be required for
42 any new disposal system or extension or addition to
43 any existing disposal system that receives only
44 domestic or sanitary sewage from a building or house
45 occupied by fifteen persons or less.

46 If it is necessary or desirable to make material
47 changes in such plans or specifications, revised plans
48 or specifications together with reasons for the
49 proposed changes must be submitted to the city or
50 county public works department for a supplemental

1 written permit. City and county public works
2 departments that meet the requirements of this section
3 must notify the council of this fact and of the fact
4 that they will be reviewing plans and specifications
5 for sewer extensions and will be issuing permits for
6 construction.

7 Local public works departments which are reviewing
8 plans and specifications and issuing permits must
9 submit semiannual reports to the executive director
10 of the department of environmental quality relating
11 to such matters as capacity of the local treatment
12 plant due to any new sewer extensions or changes in
13 the sewer system.

14 In governmental subdivisions which do not meet
15 the requirements of this section, enforcement of the
16 Iowa standards for sewage systems shall be provided
17 by the council. The council shall submit semiannual
18 reports to the executive director of the department
19 of environmental quality relating to such matters
20 as the capacity of local treatment works."

21 12. Page 17, by inserting after line 30 the
22 following new sections:

23 "Sec. ___. Section four hundred fifty-five B point
24 thirty (455B.30), Code 1975, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. "Sewer Extensions" means pipelines
27 or conduits constituting lateral sewers or trunk
28 sewers or interceptor sewers of a size smaller than
29 a twenty-four inch diameter used for conducting sewage
30 or industrial waste or other wastes to a larger
31 interceptor sewer and eventually to a point of ultimate
32 disposal.

33 Sec. ___. Section four hundred fifty-five B point
34 thirty-three (455B.33), subsection two (2), Code 1975,
35 is amended to read as follows:

36 2. Approve or disapprove of plans and
37 specifications for disposal systems or any part thereof
38 except those sewer extensions that comply with the
39 Iowa standards for sewer systems and are subject to
40 review and approval by applicable local agencies or
41 the Iowa building code council.

42 Sec. ___. Section four hundred fifty-five B point
43 forty-five (455B.45), subsection one (1), Code 1975,
44 is amended to read as follows:

45 1. The construction, installation, or modification
46 of any disposal system or part thereof or any extension
47 or addition thereto except those sewer extensions
48 that comply with the Iowa standards for sewer systems
49 and are subject to review and approval by applicable
50 local agencies or the Iowa building code council.

H-6299

Page 4

1 Sec. ____ Section four hundred fifty-five B point
2 sixty-six (455B.66), Code 1975, is amended to read
3 as follows:
4 455B.66 INSPECTION OF PLANTS. The executive
5 director shall inspect the public water supplies,
6 sewer systems except sewer extensions the plans and
7 specifications for which were reviewed by a local
8 public works department as provided in this Act, and
9 sewage treatment plants, and direct the method of
10 installation and operation of the same."
11 13. By renumbering sections, subsections,
12 paragraphs, and internal references necessary to
13 comply with this amendment.

H-6299 FILED - *Withdrawn 4/26 (219)* BY HARVEY of Scott
1976

H-6361

1 Amend Senate File 1207, as passed by the
2 Senate and reprinted, as follows:
3 Page 18 by striking lines 4 through 29.
H-6361 FILED - *Adopted 4/26* BY WOODS of Polk
APRIL 21, 1976 *(2202)*
MILLER of Buchanan

H-6365

1 Amend Senate File 1207, as amended, passed
2 and reprinted by the Senate, as follows:
3 1. Page 6, line 31, by striking the words
4 "and existing".
H-6365 FILED - *Withdrawn 4/26* BY EVANS of Grundy
APRIL 21, 1976 *(2199)*

H-6379

1 Amend Senate File 1207, as passed by the
2 Senate and reprinted as follows:
3 1. Page 6, line 32, by inserting after the
4 word "enforcement." the following: "A state
5 housing code shall not apply to existing single-
6 family residences occupied by the owner or the
7 owner's family."
H-6379 FILED - *Adopted 4/26 (2199)* BY EVANS of Grundy
APRIL 22, 1976

H-6380

1 Amend Senate File 1207, as amended, passed
2 and reprinted by the Senate, as follows:
3 1. Page 7, line 5, by inserting after the
4 word "handicapped." the following:
5 "Rules adopted to implement this paragraph
6 shall recognize the need for a reasonable balance
7 between benefits to the handicapped and the cost
8 of achieving these benefits, and shall permit
9 individual cases to be decided on their merits."
H-6380 FILED - *Adopted 4/26* BY EVANS of Grundy
APRIL 22, 1976 *(2200)*

H-6191

1 Amend Senate File 1207 as passed and reprinted by
2 the Senate as follows:

3 1. Page 1, line 23, by striking the words
4 "recreational vehicles," and inserting in lieu thereof
5 the word "including".

6 2. Page 1, by striking line 34 and inserting in
7 lieu thereof the words "Standards relating to adequate
8 lighting coupled with efficiency in sources of light
9 energy shall apply as well".

10 3. Page 1, by inserting after line 35 the following
11 new subsection:

12 "3. The standards, specifications and requirements
13 of a housing code promulgated under section eight (8),
14 subsection one (1), paragraph g, of this Act shall apply
15 to every city which, by the last federal census, had a
16 population of fifteen thousand or more."

17 4. By renumbering the remaining subsections of
18 section 3.

19 5. Page 2, line 1, by striking the word "The" and
20 inserting in lieu thereof the following: "Except for
21 the provisions of section three (3), subsection two (2), the".

22 6. Page 2, line 2, by inserting after the word
23 "buildings" the words "on tracts of land of forty acres
24 or more".

25 7. Page 2, line 4, by inserting after the words
26 "nor to" the words "owner-occupied".

27 8. Page 2, line 9, by inserting after the word
28 "The" the words "appropriate divisions of the".

29 9. Page 2, line 12, by inserting after the word
30 "of" the words "one or more divisions of".

31 10. Page 2, line 15, by inserting after the word
32 "The" the words "applicable divisions of the".

33 11. Page 5, line 12, by striking the word "who"
34 and inserting in lieu thereof the words ", three of
35 whom".

36 12. Page 5, line 14, by inserting after the word
37 "Act." the following:

38 "Two members shall be local building officials
39 directly responsible for enforcement of the code, and
40 two members shall represent the general public."

41 13. Page 6, by striking line 24 and inserting
42 in lieu thereof the words "components and mobile homes."

43 14. Page 7, line 22, by inserting after the word
44 "techniques," the word "trades".

45 15. Page 9, by inserting after line 26 the
46 following:

47 "5. The building code commissioner shall immediately
48 notify all local governments of revisions adopted as
49 part of the state building code. Unless the local
50 government files a request for local variation with

A - Adopted

as amended by
6228 4/23 (p 2)
Motion to Rescind
filed 4/25 (2:51)
Motion to Reconsider
(62205)

1 respect to these revisions within ninety days of
2 the date of notification by the commissioner, the
3 local government shall be held responsible for enforcing
4 the revisions so adopted."

5 16. Page 10, line 10, by inserting after the word
6 "techniques," the word "trades".

7 17. Page 12, line 20, by striking the words "If a
8 local" and lines 21 through 25.

9 18. Page 14, by inserting after line 9 the following
10 new subsections:

11 "10. Where the housing code provisions of this Act
12 are applicable, no existing rented or leased dwelling
13 shall be occupied in whole or in part until the issuance
14 of a certificate of occupancy by the local enforcement
15 agency indicating that such dwelling conforms to the
16 provisions of section eight (8), subsection one (1),
17 paragraph g, of this Act or applicable local ordinance.

18 11. If any dwelling occupied in whole or in part is
19 in violation of subsection ten (10) of this section, no
20 rent shall be recoverable by the owner or lessee of such
21 premises for the period of unlawful occupation, and no
22 action or special proceeding shall be maintained there-
23 for or for possession of the premises for nonpayment of
24 rent, and the premises shall be deemed unfit for human
25 habitation and an order to vacate may be issued."

26 19. Page 14, line 31, by inserting after the word
27 "jurisdiction" the following: "unless inspected by the
28 state pursuant to section twelve (12), subsection one
29 (1) of this Act".

30 20. Page 15, by striking lines 8 through 15 and
31 inserting in lieu thereof the following:

32 "Sec. 16. NEW SECTION. INJUNCTIVE RELIEF. The
33 commissioner or the local enforcement agencies may
34 obtain injunctive relief from any court of competent
35 jurisdiction to enjoin the occupancy other than owner-
36 occupancy, erection, alteration, or installation of any
37 building covered by this Act, or to enjoin the offering
38 for sale, sale, delivery, use, occupancy, erection,
39 alteration, or installation of any factory built structure
40 covered by this Act, upon an affidavit specifying the
41 manner in which the building does not conform to the
42 requirements of this Act or the Iowa building code."

43 21. Page 15, line 20, by striking the word "one"
44 and inserting in lieu thereof the word "five".

45 22. Page 15, line 23, by striking the words "Each
46 day the violation continues" and line 24.

47 23. Page 18, line 21, by striking the word "should"
48 and inserting in lieu thereof the word "shall".

49 24. Page 18, line 22, by striking the comma and
50 inserting in lieu thereof a period.

*B. Adopted
on amended
6381 4/22/72
Motion to Reopen
introduction
4/26 (2203)*

*C. Adopted
4/23 (215)*

*D. Adopted 4/23
(2180)*

E

F

Page 3

1 25. Page 18, by striking line 23 and the words
2 "for each month of operation." in line 24.

3 26. Page 18, line 32, by inserting after the figures
4 "(135.14)," the words and figures "one hundred thirty-
5 five point fifteen (135.15),".

H-6002

1 Amend Senate File 1207 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 14, line 26, by adding after the word
4 "Act." the words "Such fees shall be deposited in the
5 state general fund."
6 2. Page 14, line 31, by adding after the word
7 "jurisdiction." the words "Such fees shall be depos-
8 ited in the local government's general fund."

H-6002 FILED- *Adopted* BY RINAS of Linn
MARCH 25, 1976 *4/26 (2202)*

H-6108

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 Page 18 by striking lines 19 through 29
4 and inserting in lieu thereof the following:
5 "135D.15 SEASONAL OPERATION. If any appli-
6 cant for a mobile home park license desires to
7 operate such mobile home park only during the
8 months from May 1 to October 1, they should pay
9 only one-half of the above-mentioned annual li-
10 cense fee, but should pay the full monthly fees
11 hereinbefore required for each month of operation.
12 If in the opinion of the state department of health
13 the sanitary and ~~facility~~ requirements herein con-
14 tained are too rigid for the mobile home park, it
15 may in writing or by regulation, with the concurr-
16 ence of the building code council, modify such
17 requirements as circumstances may permit and re-
18 quire."

H-6108 FILED- *Out of order with* BY WELDEN of Hardin
APRIL 1, 1976 *adoption of 6361*

H-6109

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 Page 18 by striking lines 7 through 16 and
4 inserting in lieu thereof the following:
5 "When the application is received by the
6 state department of health, it shall promptly
7 cause the mobile home park and appurtenances there-
8 to to be inspected. When such inspection and re-
9 port has been made and the state department of
10 health finds that all requirements of this chapter,
11 and such conditions of health and safety as the
12 state department of health may require, and the re-
13 quirements of the state building code have been
14 met by the applicant, the state department of
15 health shall forthwith issue such annual primary
16 license in the name of the state."

H-6109 FILED - *Out of order* BY WELDEN of Hardin
APRIL 1, 1976 *with adoption*
of 6361 4/26 (2203)

H-6111

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 1. Page 6 by striking line 35.
4 2. Page 7 by striking lines 1 and 2.

H-6111 FILED- *Withdrawn* 4/26 BY WELDEN of Hardin
APRIL 1, 1976 *(2200)*

H-6110

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 Page 18, line 34 by striking the period and
4 inserting in lieu thereof the following:
5 "effective on the date that the state build-
6 ing code developed under the provisions of this
7 Act becomes effective."

H-6110 FILED - *Adopted 4/26* BY WELDEN of Hardin
APRIL 1, 1976 (p. 2203)

H-6112

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 1. Page 1 by striking lines 21 and 22 and
4 inserting in lieu thereof the following:
5 "a. All public buildings constructed by any
6 political subdivision of the state."
7 2. Page 1 by striking in line 27 the word
8 "and" and inserting in lieu thereof the word
9 "of".

A - Adopted 4/22 (2176)

B - Withdrawn 4/23

10 3. Page 1 by striking lines 34 and 35.

C - Copy of version with adoption of 4/14 4/26 (2193)

H-6112 FILED BY WELDEN of Hardin
APRIL 1, 1976

H-6163

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 Page 2 by striking lines 23 and 24 and in-
4 serting in lieu thereof the following:
5 "comprises a structure affording facilities
6 or shelter for human use or occupancy. The word".

H-6163 FILED - *Adopted 4/26* BY WELDEN of Hardin
APRIL 6, 1976 *45-30 (2194)* EVANS of Grundy
WYCKOFF of Benton

H-6164

1 Amend Senate File 1207, as passed by the Senate
2 and reprinted, as follows:
3 1. Page 18, by inserting after line 34 the
4 following new section:
5 "Sec. ____ . Section six hundred fourteen point
6 one (614.1), Code 1975, is amended by adding the
7 following new subsection:
8 NEW SUBSECTION. IMPROVEMENTS TO REAL PROPERTY.
9 In no event shall any action arising out of the
10 unsafe or defective condition of an improvement
11 to real property, whether in contract or tort,
12 and founded on injury to property, real or per-
13 sonal, or injuries to the person or wrongful
14 death, be brought more than ten years after the
15 date on which occurred the act or omission of the
16 defendant alleged in the action to have been the
17 cause of the injury or death complained of."

H-6164 FILED - *Billed out* BY HARPER of Davis
APRIL 6, 1976 *German 4/26 (2203)* TAUKE of Dubuque
Bills suspended and 6164 GENTLEMAN of Polk
Adopted 4/26 70-18 (p. 2204) NIELSEN of Polk
EVANS of Grundy
BROCKETT of Marshall

H-6165

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:
3 Page 6 by striking lines 30 through 32.

H-6165 FILED - *Lost 22-42* BY WELDEN of Hardin
APRIL 6, 1976 (2199) SCHROEDER of Pottawattamie
EVANS of Grundy
DEN HERDER of Sioux
WYCKOFF of Benton
MIDDLESWART of Warren
MILLEN of Van Buren
TOFTE of Winneshiek
KOOGLER of Mahaska

H-6166

1 Amend Senate File 1207 as passed and re-
2 printed by the Senate as follows:

3 1. Page 6, line 12 by striking "publish,
4 administer, and enforce the rules" and insert-
5 ing in lieu thereof the following:
6 "publish and administer the rules and enforce
7 the rules for all factory built structures, all
8 mobile homes in mobile home parks located in
9 political subdivisions which have not adopted
10 a building code, and buildings constructed on
11 state land when requested by the state agency
12 having jurisdiction."

B 13 2. Page 6 by striking line 16.
C 14 3. Page 6, lines 19 and 20 by striking the
15 words "noise insulation and abatement,".

H-6166 FILED BY WELDEN of Hardin
APRIL 6, 1976 EVANS of Grundy
WYCKOFF of Benton
MILLEN of Van Buren
TOFTE of Winneshiek
KOOGLER of Mahaska

A- *Lost 24-46 4/26 (2199)*
B- *Withdrawn*
C- *Adopted 4/26 (2195)*
Amended by 4405

H-6228

1 Amend the Committee amendment H-6191 to
2 Senate File 1207 as follows:
3 1. Page 1, by striking lines 22 through 26.

H-6228 FILED - *Adopted 6-23* BY HUSAK of Tama
APRIL 8, 1976 (2199) MILLER of Cerro Gordo *Motion to reconsider (218.)*
CRABB of Crawford *Lost 4/26 (2205)*

H-6231

1 Amend Senate File 1207, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 7, line 22, by striking the word "and"
4 and inserting in lieu thereof the word "or".

H-6231 FILED - *Adopted 4/26* BY COMMITTEE ON CITIES
APRIL 8, 1976 (2201) RINAS of Linn, Chair

SENATE FILE 1207

H-6287

1 Amend the Evans amendment H-6168 to page 1
2 of Senate File 1207 as passed by the Senate and
3 reprinted as follows:

4 1. Line 4, by striking the figure "17" and
5 inserting in lieu thereof the figure "14".

H-6287 FILED - *Adopted 4/23* BY EVANS of Grundy
APRIL 14, 1976

H-6168

1 Amend Senate File 1207, as passed by the
2 Senate and reprinted as follows:

A 3 1. Page 1, by striking all of lines 9 through
4 17 and inserting in lieu thereof the following:

5 "The cost of conventional housing has risen
6 to a height that effectively prevents many families
7 from purchasing homes. This is a serious social
8 and economic problem. A goal of this Act is to
9 minimize the cost of acceptable housing, consistent
10 with the need to maintain the public health and
11 welfare. Therefore, administration of this Act
12 will include a continuing imaginative program to
13 seek out, evaluate and promote new concepts, new
14 materials and new techniques which show promise of
15 reducing costs and providing better housing to the
16 citizens of this state."

B 17 2. Page 8, line 19, by adding the following
18 new subparagraph:

19 "f. Make a continual study to seek out,
20 evaluate and promote new concepts, new materials
21 and new techniques which show promise of reducing
22 costs and providing better housing to the citizens
23 of this state."

H-6168 FILED

BY EVANS of Grundy

APRIL 6, 1976 A- Adopted as amended by 6287 4/23 B- Withdrawn (p 2176)

H-6381

1 Amend amendment H-6191 to Senate File 1207, as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 17, by inserting after the word
5 "ordinance." the following: "The requirements of
6 this section shall be satisfied by an existing
7 certificate of occupancy."

8 2. Page 2, line 25, by inserting after the word
9 "issued." the following: "Nothing in this section
10 shall be construed to prohibit termination of tenancy
11 pursuant to section five hundred sixty-two point four
12 (562.4) of the Code."

H-6381 FILED - Adopted 4/23 BY RINAS of Linn

APRIL 22, 1976 (2180)

H-6382

1 Amend amendment H-6108 to Senate File 1207, as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 10, by striking the words "fee,
5 but should pay the full monthly fees" and inserting
6 in lieu thereof the word "fee."

7 2. Page 1, by striking line 11.

H-6382 FILED - Out of order BY RINAS of Linn

APRIL 22, 1976 with adoption
of 6361 4/26 (2203)

H-6383

- 1 Amend Senate File 1207 as follows:
- 2 1. Page 13, line 32, by inserting after
- 3 the word "code," the following: " to the extent
- 4 that it is hazardous to life or property,".
- 5 2. Page 13, line 34, by inserting after
- 6 the word "code," the following: "to the extent
- 7 that it will no longer be hazardous to life or
- 8 property,".

H-6383 FILED - *Adopted 4/26* BY BROCKETT of Marshall

H-6386

1 Amend Senate File 1207, as amended, passed
2 and reprinted by the Senate as follows:

- 3 1. Page 7, line 10, by striking both of A
- 4 the words "shall" and inserting in lieu thereof
- 5 the words "may".
- 6 2. Page 7, line 16, by striking the words
- 7 "nationally recognized" and inserting in lieu
- 8 thereof the words "national and state".
- 9 3. Page 8, by striking lines 27 and 28 B
- 10 and inserting in lieu thereof the words "permits
- for building construction and occupancy permits."

H-6386 FILED - *Adopted 4/26* BY BROCKETT of Marshall
APRIL 22, 1976 (*p. 2201*) EVANS of Grundy

H-6387

- 1 Amend Senate File 1207 as follows:
- 2 1. Page 1, line 32 by striking the word
- 3 "apply" and all of line 33 and inserting in lieu
- 4 thereof the following:
- 5 "be made available to anyone involved in
- 6 construction or reconstruction of buildings
- 7 throughout the state".

H-6387 FILED - *Adopted 4/26* BY WELDEN of Hardin
(p. 2201)

SENATE FILE 1207

H-6389

1 Amend Senate File 1207 as passed and reprint-
2 ed by the Senate as follows:

- 3 1. Page 7, by adding after line 8 the following
- 4 new subparagraph:
- 5 "1. Policy relating to maintenance and re-
- 6 storatation of buildings of historic interest. This
- 7 policy shall permit great latitude in design, ma-
- 8 terials, and techniques to insure historic authenti-
- 9 city."

10 2. By renumbering the remaining subparagraph.

H-6389 FILED - *Adopted 4/26* BY EVANS of Grundy
APRIL 22, 1976 (*p. 2201*) BROCKETT of Marshall

SENATE FILE 1207

H-6390

- 1 Amend Senate File 1207 as follows:
- 2 1. Page 12, by striking lines 18 through 25.
- 3 2. By renumbering the remaining sub-
- 4 sections.

H-6390 FILED - *Withdrawn 4/26* BY WELDEN of Hardin
APRIL 22, 1976 (*p. 2202*)

H-6396

1 Amend Senate File 1207, as passed by the
2 Senate and reprinted, as follows:
3 1. Page 6, line 32, by inserting after the
4 word "enforcement." the following: "A housing
5 code shall not prohibit a person or family from
6 using their own personal labor to build, equip or
7 modify a single-family residence for their own
8 use."

H-6396 FILED - *Withdrawn 4/26* BY EVANS of Grundy
APRIL 23, 1976 (2200) WEST of Marshall

H-6397

1 Amend Senate File 1207, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 7, by inserting after line 34 the
4 following unnumbered paragraph:
5 "In proposing and adopting energy conservation
6 standards and requirements, the standards and
7 requirements adopted by the council shall not
8 be more stringent than that required by, or
9 provided in, federal law.

H-6397 FILED - *Lost 4/26 (2202)* BY BENNETT of Ida
APRIL 23, 1976 23-46

H-6401

1 Amend Senate File 1207 as follows:
A 2 1. Page 1, line 28, by striking the words
3 "a building code" and inserting in lieu thereof
4 the words "the provisions of this Act".
S 5 2. Page 2, by striking lines 1 through 8.
6 3. Page 9, by striking lines 27 through 35.
A 7 4. Page 10, by striking lines 1 through 35.
8 5. Page 11, by striking lines 1 through 13.
9 6. Page 11, by striking line 31 and inserting
10 in lieu thereof the following: "1. In areas where
11 the state building code is in effect and local
12 enforcement agencies have".

H-6401 FILED A - *Lost* BY BITTLE of Polk
APRIL 26, 1976 B - *Withdrawn 4/26 (2197)*

H-6403

1 Amend Senate File 1207, as passed by the
2 Senate and reprinted, as follows:
3 1. Page 6, line 32, by inserting after the
4 word "enforcement." the following: "A housing
5 or building code shall not prohibit a person or
6 family from using their own personal labor to build,
7 equip or modify a single-family residence for their
8 own use. This provision shall not abrogate any
9 rights of a political subdivision to inspect the
10 premises and regulate the use of such personal labor
11 to build, equip or modify a single-family residence
12 for their own use."

H-6403 FILED - *Adopted 4/26 (2200)* BY EVANS of Grundy
APRIL 26, 1976 WEST of Marshall

H-6405

- 1 Amend amendment H-6166, to page 6 of Senate
- 2 File 1207, as follows:
- 3 1. Page 1, line 7, by inserting after the
- 4 comma the following: "all public buildings con-
- 5 structed by any political subdivision of the state,".

H-6405 FILED - *Adopted by* BY RINAS of Linn
APRIL 26, 1976 *unanimous*
Consent 4/26 (2195)

H-6406

- 1 Amend Senate File 1207 as follows:
- 2 1. Page 3, line 31, by inserting after the
- 3 period the following: "Certification of manu-
- 4 facturing companies by the department of housing
- 5 and urban development, federal housing administra-
- 6 tion, or other accepted inspection agencies shall
- 7 qualify "mobile home systems".
- 8 Inspection fees shall only be imposed when
- 9 no previous inspection has been performed under
- 10 "mobile home systems" criteria."

H-6406 FILED - *Adopted 4/26* BY MILLER of Buchanan
APRIL 26, 1976 *(2198)*

SENATE FILE 1207

H-6407

- 1 Amend amendment H-6166 to Senate File 1207
- 2 as passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 7 by striking ", all".
- 4 2. Page 1, line 8 by striking "mobile homes
- 5 in mobile home parks".

H-6407 FILED - *Consent 4/26 (2199)* BY WOODS of Polk
APRIL 26, 1976
S-5752

- 1 Amend the House amendment, S-5706, to Senate
- 2 File 1207 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 2, by striking lines 11 through 18.
- 5 2. Page 4, by striking lines 35 and 36.
- 6 3. Page 4, by striking lines 37 and 38.
- 7 4. Page 4, by striking line 39.
- 8 5. Page 4, by striking line 48 through page
- 9 5. line 12.

S-5752 FILED
MAY 11, 1976

BY JAMES W. GRIFFIN, SR

SENATE FILE 1207

S-5764

- 1 Amend the House amendment, S-5706, to Senate
- 2 File 1207 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, by striking lines 48 through 50.
- 5 2. Page 2, by striking line 1.
- 6 3. Page 5, by inserting after line 12 the
- 7 following:
- 8 "43. The title, line 1, by inserting after the
- 9 word "Act" the words "relating to improvements to
- 10 real property,".

S-5764 FILED
MAY 12, 1976

BY JAMES W. GRIFFIN, SR.