

CITY DEVELOPMENT BOARD[263]

Notice of Intended Action

**Proposing rulemaking related to identification and annexation of islands
and providing an opportunity for public comment**

The City Development Board hereby proposes to rescind Chapter 11, “Islands—Identification and Annexation,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 368.10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 1991 Iowa Acts, House File 182.

Purpose and Summary

Pursuant to Executive Order 10, the Board proposes to rescind Chapter 11. The Board was directed to initiate this Notice of Intended Action.

The chapter describes the process by which islands (as defined in Iowa Code section 368.1(10)) were identified by county boards of supervisors and annexed to surrounding cities by the Board pursuant to 1991 Iowa Acts, House File 182. The legislation granted the Board the authority to annex islands to surrounding cities that were identified prior to January 15, 1992, and also prevented the creation of additional islands after the effective date of the Act. Because the time period for identification and annexation of islands has passed and no additional islands can be created, the chapter is obsolete.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 263—Chapter 6.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Board no later than 4:30 p.m. on January 9, 2024. Comments should be directed to:

Lisa Connell
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315
Phone: 515.348.6163
Email: lisa.connell@iowaeda.com

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

- ITEM 1. Rescind and reserve **263—Chapter 11**.