

### **331.382 Powers and limitations relating to services.**

1. The board may exercise the following powers in accordance with the sections designated, and may exercise these or similar powers under its home rule powers or other provisions of law:

*a.* Establishment of parks outside of cities as provided in section 461A.34.

*b.* Establishment of a water recreational area as provided in sections 461A.59 to 461A.78.

*c.* Establishment of a merged area hospital as provided in chapter 145A.

*d.* Acquisition and operation of a limestone quarry for the sale of agricultural lime, in accordance with chapter 353.

*e.* Provision of preliminary diagnostic evaluation before admissions to state mental health institutes as provided in sections 225C.14 through 225C.17.

*f.* Establishment of a community mental health center as provided in chapter 230A.

*g.* Establishment of a county care facility as provided in chapter 347B, and sections 135C.23 and 135C.24.

*h.* Provision of relocation programs and payments as provided in chapter 316.

*i.* Establishment of an airport commission as provided in sections 330.17 to 330.20.

*j.* Creation of an airport authority as provided in chapter 330A.

2. The power to establish reserve peace officers is subject to chapter 80D.

3. The power to legislate in regard to chemical substance abuse is subject to section 125.40.

4. The power to establish a county hospital is subject to the licensing requirements of chapter 135B and the power to establish a county health care facility is subject to the licensing requirements of chapter 135C.

5. The board shall not regulate, license, inspect, or collect license fees from food establishments or food and beverage vending machines except as provided in chapter 137F or from hotels except as provided in chapter 137C.

6. The power to operate juvenile detention and shelter care homes is subject to approval of the homes by the director of the department of human services or the director's designee, as provided in section 232.142.

7. If a law library is provided in the county courthouse, judges of the district court of the county shall supervise and control the law library.

8. The board is subject to chapter 161F, chapters 357 through 358, or chapter 468, subchapters I through III, subchapter IV, parts 1 and 2, or subchapter V, as applicable, in acting relative to a special district authorized under any of those chapters.

However, the board may assume and exercise the powers and duties of a governing body under chapter 357, 357A, 357B, 358 or chapter 468, subchapter III, if a governing body established under one of those chapters has insufficient membership to perform its powers and duties, and the board, upon petition of the number of

property owners within a proposed district and filing of a bond as provided in section 357A.2, may establish a service district within the unincorporated area of the county and exercise within the district the powers and duties granted in chapter 357, 357A, 357B, 357C, 358, 359, 384, division IV or chapter 468, subchapter III.

9. The power to establish and administer an air pollution control program in lieu of state administration is subject to sections 455B.144 and 455B.145.

1. af. [S81, § 331.382(1); 81 Acts, ch 117, § 381]

g. [C51, § 828; R60, § 1396; C73, § 1372; C97, § 2241; SS15, § 2241; C24, 27, 31, 35, § 5338; C39, § **3828.115**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 253.1; S81, § 331.382; 81 Acts, ch 117, § 381]

hj. [S81, § 331.382(1); 81 Acts, ch 117, § 381]

26. [S81, § 331.382(26); 81 Acts, ch 117, § 381]

7. [C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 332.6; S81, § 331.382(7); 81 Acts, ch 117, § 381]

8. [C77, 79, 81, § 332.3(33); S81, § 331.382(8); 81 Acts, ch 117, § 381]

9. [S81, § 331.382(9); 81 Acts, ch 117, § 381]

83 Acts, ch 96, § 157, 159; 83 Acts, ch 101, § 76; 89 Acts, ch 20, § 17; 98 Acts, ch 1162, §27, 30

#### **Footnotes**

Contracts to provide services to tax-exempt property; see § 364.19