

403A.2 Definitions.

The following terms, wherever used or referred to in [this chapter](#), shall have the following respective meanings, unless a different meaning clearly appears from the context:

1. “Agency” or “municipal housing agency” shall mean a public agency created under the provisions of [section 403A.5](#).

2. An “agreement” of any municipality authorized by [this chapter](#) with respect to a housing project, means a resolution or resolutions of the governing body of such municipality setting forth the action to be taken or the matter determined. Such resolutions shall be deemed to be agreements made for the benefit of the holders of bonds then outstanding or thereafter issued in connection with such project and for the benefit of any person, firm, corporation, state public body or the federal government which has agreed or thereafter agrees to make a grant or annual contribution for or in aid of such project.

3. “Area of operation” includes (a) all of a municipality and (b) any area adjacent to and within one mile of such municipality, provided that the governing body of such adjacent area approves and consents.

4. “Bonds” means any bonds, notes, interim certificates, debentures or other obligations issued by a municipality pursuant to [this chapter](#).

5. “Clerk” means the clerk of the municipality or the officer charged with the duties customarily imposed on such clerk.

6. a. “Families of low income” means families who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe and sanitary dwellings for their use.

b. “Lower-income families” means families whose incomes do not exceed eighty percent of the median income for the area with adjustments for the size of the family or other adjustments necessary due to unusual prevailing conditions in the area.

c. “Very low-income families” means families whose incomes do not exceed fifty percent of the median income for the area with adjustments for the size of the family or other adjustments necessary due to unusual prevailing conditions in the area.

d. “Families” includes, but is not limited to, families consisting of a single person in the case of any of the following:

- (1) A person who is at least sixty-two years of age.
- (2) A person with a disability.
- (3) A displaced person.
- (4) The remaining member of a tenant family.

e. “Families” includes two or more persons living together, who are at least sixty-two years of age, are persons with a disability, or one or more such individuals living with another person who is essential to such individual’s care or well-being.

f. “Disability” means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, or having a physical or mental impairment which is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of a nature that the ability to live independently could be improved by more suitable housing conditions.

g. “Displaced” means displaced by governmental action, or having one’s dwelling extensively damaged or destroyed as a result of a disaster.

h. The municipality, by resolution, or the agency by rule shall establish further definitions applicable to [this subsection](#) as necessary to assure eligibility for funds available under federal housing laws.

7. “Federal government” includes the United States of America, the Public Housing Administration, or any other agency or instrumentality, corporate or otherwise of the United States of America.

8. “Housing project” or “project” means any work or undertaking: (a) to demolish, clear or remove buildings from any slum areas; or (b) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for families of low income, lower-income families, or very low-income families; or (c) to accomplish a combination of the foregoing. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or

desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, community, health, recreational, welfare or other purposes. The term “housing project” or “project” also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration or repair of the improvements and all other work in connection therewith, and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

9. “*Local governing body*” shall mean the council or other legislative body charged with governing the municipality.

10. “*Major disaster*” means any flood, drought, fire, hurricane, earthquake, storm or other catastrophe which, in the determination of the governing body, is of sufficient severity and magnitude to warrant the use of available resources of the federal, state and local governments to alleviate the damage, hardship or suffering caused thereby.

11. “*Mayor*” means the mayor of the municipality or the officer thereof charged with the duties customarily imposed on the mayor or executive head of a municipality.

12. “*Municipality*” shall mean any city or county in the state.

13. “*Obligee*” includes any bondholder, agent or trustee for any bondholder, or lessor demising to a municipality, property used in connection with a project, or any assignee or assignees of such lessor’s interest or any part thereof, and the federal government when it is a party to any contract with the municipality in respect to a housing project.

14. “*Persons engaged in national defense activities*” means persons in the armed forces of the United States; employees of the department of defense; and workers engaged or to be engaged in activities connected with national defense. The term also includes the families of the persons, employees and workers who reside with them.

15. “*Real property*” includes all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years.

16. “*Slum*” means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

17. “*State public body*” means any city, county, township, municipal corporation, commission, district or other subdivision or public body of the state.

[C62, 66, 71, 73, 75, 77, 79, 81, §403A.2]

96 Acts, ch 1129, §87

Referred to in [§225C.45](#)