

261—22.2 (15) Definitions. For purposes of this chapter unless the context otherwise requires:

“Abandoned building” or *“abandonment”* means a building that meets either of the following:

1. In the case of a building located within a city’s limits, a building that has remained vacant and has been in violation of the housing code or building code of the city for a period of six consecutive months.

2. In the case of a building located outside a city’s limits, a building that has remained vacant and has been in violation of the housing code or building code applicable in the county in which the building is located for a period of six consecutive months.

“Agreement” means a contract for financial assistance under the program describing the terms on which the financial assistance is to be provided.

“Applicant” means a city applying for financial assistance under the program.

“Authority” means the economic development authority created in Iowa Code section 15.105.

“Building” means a structure located in a city, or outside the limits of a city in a county, that is either:

1. Used or intended to be used for commercial or industrial purposes; or
2. Used or intended to be used for residential purposes.

“Building” includes structures in which some floors may be used for retail stores, shops, salesrooms, markets, or similar commercial uses, or for offices, banks, civic administration activities, professional services, or similar business or civic uses, and other floors are used, designed, or intended to be used for residential purposes.

“Costs directly related” means expenditures that are incurred for acquisition, demolition, disposal, redevelopment, or rehabilitation of a project to the extent that they are attributable directly to the remediation or redevelopment of the property or its improvements. *“Costs directly related”* includes expenditures for site preparation work, surveying, construction materials, construction labor, architectural services, engineering services, building permits, building inspection fees, and interest accrued on a construction loan during the time period allowed for project completion under an agreement entered into pursuant to the program. *“Costs directly related”* does not include expenditures for furnishings, appliances, accounting services, legal services, loan origination and other financing costs, syndication fees and related costs, developer fees, or the costs associated with selling or renting the dwelling units whether incurred before or after completion of the housing project.

“Director” means the director of the authority.

“Financial assistance” means a loan or forgivable loan made by the authority to an applicant approved for funding under the program.

“Low- or moderate-income household” means a household earning 80 percent or less of the applicable area median income, as determined by the U.S. Department of Housing and Urban Development.

“Nuisance property” means a building, structure, or other real estate that is, or is likely to become, a public nuisance.

“Program” means the procedures, agreement, terms, and assistance established and provided pursuant to this chapter.

“Project” means a proposed plan for the remediation or redevelopment of nuisance and abandoned properties in a city. “Project” may include properties at multiple sites and locations, whether contiguous or not, as long as all properties to be remediated or redeveloped are included in the proposed plan upon application and as long as the proposed plan demonstrates the steps and actions necessary to further remediation and redevelopment efforts in a comprehensive and coordinated manner.

“Public nuisance” means a building that is a menace to the public health, welfare, or safety, or that is structurally unsafe, unsanitary, or not provided with adequate safe egress, or that constitutes a fire hazard, or is otherwise dangerous to human life, or that in relation to the existing use constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. “Public nuisance” includes buildings with blighting characteristics as defined by Iowa Code section 403.2.

“Redevelopment” means development activities associated with a project that are undertaken either for the purpose of remediating nuisance or abandoned properties, for constructing new buildings or improvements at a site where formerly existing buildings have been demolished, or for rehabilitating, reusing or repurposing existing buildings or improvements at a project site. “Redevelopment” typically includes projects that result in the elimination of blighting characteristics as defined by Iowa Code section 403.2.

“Remediation” or *“remediating”* means the demolition, disposal, removal, repair, improvement, or rehabilitation of nuisance property or abandoned buildings at a site included in a project.

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