

House File 2392

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1 3 AN ACT
1 4 RELATING TO CONTROLLED BURNS OF DEMOLISHED BUILDINGS CONDUCTED
1 5 BY CERTAIN CITIES.

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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 8
1 9 Section 1. Section 455B.133, subsection 10, Code 2003, is
1 10 amended to read as follows:

1 11 10. Adopt rules allowing a city to conduct a controlled
1 12 burn of a demolished building subject to the ~~same restrictions~~
~~1 13 as requirements that are in effect for fire fighting training~~
~~1 14 fires the proper removal of all asbestos containing materials~~
~~1 15 prior to demolition and burning.~~ The rules shall include a
~~1 16 provision provisions that a city may undertake no more than~~
~~1 17 three controlled burns in every overlapping six-tenths-of-a-~~
~~1 18 mile-radius circle every three years burn site have controlled~~
~~1 19 access, that a burn site be supervised by representatives of~~
~~1 20 the city at all times, and that the burning be conducted only~~
~~1 21 when weather conditions are favorable with respect to~~
~~1 22 surrounding property. For a burn site located outside of a~~
~~1 23 city, the rules shall include a provision that a city may~~
~~1 24 undertake not more than one such controlled burn per day and~~
~~1 25 that a burn site be limited to an area located at least six-~~
~~1 26 tenths of a mile from any inhabited building. For burn sites~~
~~1 27 located within a city, the rules shall include a provision~~
~~1 28 that a city may undertake not more than one such controlled~~
~~1 29 burn in every six-tenths-of-a-mile-radius circle in each~~
~~1 30 calendar year.~~ The rules shall prohibit a controlled burn of
1 31 a demolished building in Cedar Rapids, Marion, Hiawatha,
1 32 Council Bluffs, Carter Lake, Des Moines, West Des Moines,
1 33 Clive, Windsor Heights, Urbandale, Pleasant Hill, Buffalo,
1 34 Davenport, Mason City, or any other area where area-specific
1 35 state implementation plans require the control of particulate
2 1 matter.

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2 6 CHRISTOPHER C. RANTS
2 7 Speaker of the House

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2 9 _____
2 10 JEFFREY M. LAMBERTI
2 11 President of the Senate

2 12
2 13 I hereby certify that this bill originated in the House and
2 14 is known as House File 2392, Eightieth General Assembly.

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2 17 _____
2 18 MARGARET THOMSON
2 19 Chief Clerk of the House

2 20 Approved _____, 2004

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2 23 _____
2 24 THOMAS J. VILSACK
2 25 Governor