

COUNTY GOVERNMENT, Pass 1-25-73
Senate Judiciary 1-27-73 Pass 4-9

HOUSE FILE 3

HOUSE FILE 3
Bortell, Bennett Hennessey
Chairman

By HOLDEN

House File 3
Judiciary—
Glenn, Chairman
Kennedy
Shaw

Passed House, Date 1-25-73 (189)

Passed Senate, Date 4-22-74 (1489)

Vote: Ayes 62 Nays 35

Vote: Ayes 38 Nays 3

Approved _____

A BILL FOR

1 An Act relating to members of county zoning commissions and
2 boards of adjustment.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section three hundred fifty-eight A point eight
2 (358A.8), Code 1973, is amended to read as follows:

3 358A.8 COMMISSION APPOINTED. In order to avail itself
4 of the powers conferred by this chapter, the board of
5 supervisors shall appoint a commission, whose members shall
6 reside within the county but outside the corporate limits
7 of any city or town, to be known as the county zoning
8 commission, to recommend the boundaries of the various original
9 districts, and appropriate regulations and restrictions to
10 be enforced therein. Such commission shall, with due
11 diligence, prepare a preliminary report and hold public
12 hearings thereon before submitting its final report; and the
13 board of supervisors shall not hold its public hearings or
14 take action until it has received the final report of such
15 commission. After the adoption of such regulations,
16 restrictions, and boundaries of districts, the zoning
17 commission may, from time to time, recommend to the board
18 of supervisors amendments, supplements, changes or modi-
19 fications.

20 Sec. 2. Section three hundred fifty-eight A point eleven
21 (358A.11), Code 1973, is amended to read as follows:

22 358A.11 MEMBERSHIP OF BOARD. The board of adjustment
23 shall consist of five members who shall reside within the
24 county but outside the corporate limits of any city or town,
25 each to be appointed for a term of five years, excepting that
26 when the board shall first be created one member shall be
27 appointed for a term of five years, one for a term of four
28 years, one for a term of three years, one for a term of two
29 years, and one for a term of one year. Members shall be
30 removable for cause by the appointing authority upon written
31 charges and after public hearing. Vacancies shall be filled
32 for the unexpired term of any member whose term becomes vacant.

33 EXPLANATION

34 This bill provides that the membership of the county zoning
35 commissions and the boards of adjustment shall be composed

1 of persons residing within the county but outside the incorpo-
2 rated limits of any city or town.

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H-15

- 1 Amend House File 3 as follows:
- 2 1. Page 2, line 5, by inserting after the word
- 3 "commission," the words "a majority of".
- 4 2. Page 2, line 23, by striking the word "who"
- 5 and inserting in lieu thereof the following: ", a
- 6 majority of whom".

Filed and adopted
January 25, 1973

By MENNENGA of Clinton

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