

Reprinted 4/6/83

Judiciary
Horn, Chair
Welsh
Small

SENATE FILE 163

BY READINGER

Do Pass 3/21/83 (p. 879) FILED JAN 31 1983

Passed Senate, Date 4-5-83 (p. 1104) Passed House, Date _____
Vote: Ayes 45 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act creating a possessory lien on personal property in a
2 self-service storage facility and establishing a method
3 for enforcing the lien.

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

S-3269

SENATE FILE 163

1 Amend Senate File 163 as follows:
2 1. Page 2, by striking lines 6 and 7 and inserting
3 in lieu thereof the following: "chapter. The lien
4 provided for in this section shall be subject to all
5 prior liens or security interests. The lien attaches".

S-3269 FILED

MARCH 21, 1983

Adopted 4/5/83 (p. 1104)

BY DAVID M. READINGER

SENATE FILE 163

S-3426

1 Amend Senate File 163 as follows:
2 1. Page 1, by inserting after line 32 the
3 following:
4 "7. "Possessory lien" means a lien on a personal
5 property that is valid only while the property is
6 in the possession of the person asserting the lien
7 or an agent of the person."

S-3426 FILED & ADOPTED

APRIL 5, 1983 *(p. 1104)*

BY DAVID READINGER

22

23

24

25

1 Section 1. NEW SECTION. 578A.1 SHORT TITLE. This Act
2 shall be known as the "Iowa Self-Service Storage Facility
3 Lien Act".

4 Sec. 2. NEW SECTION. 578A.2 DEFINITIONS. As used in
5 this chapter, unless the context clearly requires otherwise:

6 1. "Self-service storage facility" means real property
7 designed and used for the purpose of renting or leasing
8 individual storage space to occupants who are to have access
9 to the space for the purpose of storing personal property.
10 If an owner issues a warehouse receipt, bill of lading, or
11 other document of title for the personal property stored,
12 the owner and the occupant are subject to chapter 554, article
13 7 and this chapter does not apply.

14 2. "Owner" means the owner, operator, lessor, or sub-
15 lessor of a self-service storage facility, the agent, or any
16 other person authorized by the owner to manage the facility,
17 or to receive rent from an occupant under a rental agreement.

18 3. "Occupant" means a person, the person's sublessee,
19 successor, or assign, entitled to the use to the exclusion
20 of others of the storage space at a self-service storage
21 facility under a rental agreement.

22 4. "Rental agreement" means an agreement or lease, written
23 or oral, that establishes or modifies the terms, conditions,
24 rules, or any other provisions concerning the use and occupancy
25 of a self-service storage facility.

26 5. "Personal property" means movable property not af-
27 fixed to land, and includes, but is not limited to goods,
28 merchandise, and household items.

29 6. "Last known address" means that address provided by
30 the occupant in the latest rental agreement, or the address
31 provided by the occupant in a subsequent written notice of
32 a change of address.

33 Sec. 3. NEW SECTION. 578A.3 LIEN. The owner of a self-
34 service storage facility and the heirs, executors, adminis-
35 trators, successors, and assigns have a possessory lien upon

1 all personal property located at a self-service storage
2 facility for rent, labor, or other reasonable charges, in
3 relation to the storage of the personal property, and for
4 expenses necessary for its preservation, or expenses reasonably
5 incurred in its sale or other disposition pursuant to this
6 chapter. The lien provided for in this section is superior
7 to any other lien or security interest. The lien attaches
8 as of the date the personal property is brought to the self-
9 service storage facility.

3269

10 Sec. 4. NEW SECTION. 578A.4 ENFORCEMENT OF LIEN. An
11 owner's lien for a claim which has become due may be satisfied
12 as follows:

13 1. The occupant shall be notified by delivering in per-
14 son or by mailing by certified mail to the last known ad-
15 dress of the occupant, a notice which shall include:

16 a. An itemized statement of the owner's claim showing
17 the amount due at the time of the notice and the date when
18 the amount became due.

19 b. A brief and general description of the personal prop-
20 erty subject to the lien. The description shall be reasonably
21 adequate to permit the person notified to identify it, except
22 that any container including a trunk, valise, or box that
23 is locked, fastened, sealed, or tied in a manner which deters
24 immediate access to its contents shall be described as such
25 without describing its contents.

26 c. A statement that the occupant is denied access to the
27 personal property, if a denial is permitted under the rental
28 agreement. The statement shall provide the name, street
29 address, and telephone number of the owner, or the owner's
30 designated agent, whom the occupant may contact to respond
31 to this notice.

32 d. A demand for payment within a specified time not less
33 than fourteen days after delivery of the notice.

34 e. A conspicuous statement that unless the claim is paid
35 within the time stated in the notice, the personal property

1 will be advertised for sale or other disposition, and will
2 be sold or otherwise disposed of at a specified time and
3 place.

4 2. Any notice made pursuant to this section shall be pre-
5 sumed delivered when it is deposited with the United States
6 postal service, and properly addressed with postage prepaid.

7 3. After the expiration of the time given in the notice,
8 an advertisement of the sale or other disposition shall be
9 published once a week for two consecutive weeks in a newspaper
10 of general circulation in the county where the self-service
11 storage facility is located. The advertisement shall include:

12 a. A brief and general description of the personal prop-
13 erty reasonably adequate to permit its identification as pro-
14 vided for in subsection 1, paragraph b.

15 b. The address of the self-service storage facility, the
16 number, if any, of the space where the personal property is
17 located, and the name of the occupant.

18 c. The time, place, and manner of the sale or other dis-
19 position. The sale or other disposition shall take place
20 not sooner than fifteen days after the first publication.
21 If there is no newspaper of general circulation where the
22 self-service storage facility is located, the advertisement
23 shall be posted at least ten days before the date of the sale
24 or other disposition in at least six conspicuous places in
25 the neighborhood where the self-service storage facility is
26 located.

27 4. A sale or other disposition of the personal property
28 shall conform to the terms of the notification provided for
29 in this section.

30 5. A sale or other disposition of the personal property
31 shall be held at the self-service storage facility, or at
32 the nearest suitable place to where the personal property
33 is held or stored.

34 6. Before a sale or other disposition of personal prop-
35 erty is made pursuant to this section, the occupant may pay

1 the amount necessary to satisfy the lien, and the reasonable
2 expenses incurred under this section, and redeem the per-
3 sonal property. Upon receipt of such payment, the owner shall
4 return the personal property.

5 7. A purchaser in good faith of the personal property
6 sold to satisfy the lien takes the property free of any rights
7 of persons against whom the lien was valid, despite
8 noncompliance by the owner with the requirements of this
9 section.

10 8. In the event of a sale under this section, the owner
11 may satisfy the lien from the proceeds of the sale, but shall
12 hold the balance, if any, for delivery on demand to the oc-
13 cupant. If the occupant does not claim the balance of the
14 proceeds within two years of the date of sale, it shall be-
15 come the property of the owner.

16 Sec. 5. NEW SECTION. 578A.5 SUPPLEMENTAL NATURE OF ACT.
17 This chapter does not impair or affect the right of parties
18 to create liens by special contract or agreement, nor does
19 it affect or impair other liens arising at common law or in
20 equity, or by a statute of this state.

21 EXPLANATION

22 This bill creates a possessory lien on personal property
23 stored in a self-service storage facility for unpaid rent,
24 labor, or other charges for the storage of the personal
25 property. Enforcement of the lien is by delivering or sending
26 notice to the owner of the personal property. If the debt
27 remains unpaid, the property may be sold to satisfy the lien.

28 The Act is effective July 1 following its enactment.

29
30
31
32
33
34
35

1 Section 1. NEW SECTION. 578A.1 SHORT TITLE. This Act
2 shall be known as the "Iowa Self-Service Storage Facility
3 Lien Act".

4 Sec. 2. NEW SECTION. 578A.2 DEFINITIONS. As used in
5 this chapter, unless the context clearly requires otherwise:

6 1. "Self-service storage facility" means real property
7 designed and used for the purpose of renting or leasing
8 individual storage space to occupants who are to have access
9 to the space for the purpose of storing personal property.
10 If an owner issues a warehouse receipt, bill of lading, or
11 other document of title for the personal property stored,
12 the owner and the occupant are subject to chapter 554, article
13 7 and this chapter does not apply.

14 2. "Owner" means the owner, operator, lessor, or sub-
15 lessor of a self-service storage facility, the agent, or any
16 other person authorized by the owner to manage the facility,
17 or to receive rent from an occupant under a rental agreement.

527 18 3. "Occupant" means a person, the person's sublessee,
19 successor, or assign, entitled to the use to the exclusion
20 of others of the storage space at a self-service storage
21 facility under a rental agreement.

22 4. "Rental agreement" means an agreement or lease, written
527 23 or oral, that establishes or modifies the terms, conditions,
24 rules, or any other provisions concerning the use and occupancy
25 of a self-service storage facility.

26 5. "Personal property" means movable property not af-
27 fixed to land, and includes, but is not limited to goods,
28 merchandise, and household items.

29 6. "Last known address" means that address provided by
30 the occupant in the latest rental agreement, or the address
527 31 provided by the occupant in a subsequent written notice of
32 a change of address.

33 7. "Possessory lien" means a lien on a personal property
34 that is valid only while the property is in the possession
35 of the person asserting the lien or an agent of the person.

5219
1 Sec. 3. NEW SECTION. 578A.3 LIEN. The owner of a self-
2 service storage facility and the heirs, executors, adminis-
3 trators, successors, and assigns have a possessory lien upon
4 all personal property located at a self-service storage
5 facility for rent, labor, or other reasonable charges, in
6 relation to the storage of the personal property, and for
7 expenses necessary for its preservation, or expenses reasonably
8 incurred in its sale or other disposition pursuant to this
9 chapter. The lien provided for in this section shall be
10 subject to all prior liens or security interests. The lien
11 attaches as of the date the personal property is brought to
12 the self-service storage facility.

13 Sec. 4. NEW SECTION. 578A.4 ENFORCEMENT OF LIEN. An
14 owner's lien for a claim which has become due may be satisfied
15 as follows:

16 1. The occupant shall be notified by delivering in per-
17 son or by mailing by certified mail to the last known ad-
18 dress of the occupant, a notice which shall include:

19 a. An itemized statement of the owner's claim showing
20 the amount due at the time of the notice and the date when
21 the amount became due.

22 b. A brief and general description of the personal prop-
23 erty subject to the lien. The description shall be reasonably
24 adequate to permit the person notified to identify it, except
25 that any container including a trunk, valise, or box that
26 is locked, fastened, sealed, or tied in a manner which deters
27 immediate access to its contents shall be described as such
28 without describing its contents.

29 c. A statement that the occupant is denied access to the
30 personal property, if a denial is permitted under the rental
31 agreement. The statement shall provide the name, street
32 address, and telephone number of the owner, or the owner's
33 designated agent, whom the occupant may contact to respond
34 to this notice.

35 d. A demand for payment within a specified time not less

1 than fourteen days after delivery of the notice.

2 e. A conspicuous statement that unless the claim is paid
3 within the time stated in the notice, the personal property
4 will be advertised for sale or other disposition, and will
5 be sold or otherwise disposed of at a specified time and
6 place.

52 7 2. Any notice made pursuant to this section shall be pre-
8 sumed delivered when it is deposited with the United States
9 postal service, and properly addressed with postage prepaid.

10 3. After the expiration of the time given in the notice,
11 an advertisement of the sale or other disposition shall be
12 published once a week for two consecutive weeks in a newspaper
13 of general circulation in the county where the self-service
14 storage facility is located. The advertisement shall include:

15 a. A brief and general description of the personal prop-
16 erty reasonably adequate to permit its identification as pro-
17 vided for in subsection 1, paragraph b.

18 b. The address of the self-service storage facility, the
19 number, if any, of the space where the personal property is
20 located, and the name of the occupant.

21 c. The time, place, and manner of the sale or other dis-
22 position. The sale or other disposition shall take place
23 not sooner than fifteen days after the first publication.
24 If there is no newspaper of general circulation where the
25 self-service storage facility is located, the advertisement
26 shall be posted at least ten days before the date of the sale
27 or other disposition in at least six conspicuous places in
28 the neighborhood where the self-service storage facility is
29 located.

30 4. A sale or other disposition of the personal property
31 shall conform to the terms of the notification provided for
32 in this section.

33 5. A sale or other disposition of the personal property
34 shall be held at the self-service storage facility, or at
35 the nearest suitable place to where the personal property

1 is held or stored.

2 6. Before a sale or other disposition of personal prop-
3 erty is made pursuant to this section, the occupant may pay
4 the amount necessary to satisfy the lien, and the reasonable
5 expenses incurred under this section, and redeem the per-
6 sonal property. Upon receipt of such payment, the owner shall
7 return the personal property.

8 7. A purchaser in good faith of the personal property
9 sold to satisfy the lien takes the property free of any rights
10 of persons against whom the lien was valid, despite
11 noncompliance by the owner with the requirements of this
12 section.

527
6279 13 8. In the event of a sale under this section, the owner
14 may satisfy the lien from the proceeds of the sale, but shall
15 hold the balance, if any, for delivery on demand to the oc-
16 cupant. If the occupant does not claim the balance of the
17 proceeds within two years of the date of sale, it shall be-
18 come the property of the owner.

19 Sec. 5. NEW SECTION. 578A.5 SUPPLEMENTAL NATURE OF ACT.
20 This chapter does not impair or affect the right of parties
21 to create liens by special contract or agreement, nor does
22 it affect or impair other liens arising at common law or in
23 equity, or by a statute of this state.

527
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE AMENDMENT TO SENATE FILE 163

5-5584

1 Amend Senate File 163 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking lines 18 through 21 and
4 inserting in lieu thereof the following:
5 "3. "Occupant" means a person, in privity with
6 the owner, entitled to the use to the exclusion of
7 others of the storage space at a self-service storage
8 facility pursuant to privity with the owner."
9 2. Page 1, line 23, by inserting after the word
10 "oral" the words "between the owner and occupant".
11 3. Page 1, line 31, by inserting after the word
12 "occupant" the words "by certified mail".
13 4. Page 2, by striking lines 9 through 12 and
14 inserting in lieu thereof the following: "chapter.
15 The lien provided for in this section shall not have
16 priority over a lien or security interest perfected
17 prior to the time the personal property is placed
18 within or upon the self-storage facility. The lien
19 attaches as of the date the personal property is
20 brought to the self-service storage facility."
21 5. Page 2, line 17, by inserting after the word
22 "son" the words "with acceptance to be signed by the
23 occupant".
24 6. Page 3, by striking lines 7 through 9 and
25 inserting in lieu thereof the following:
26 "2. A notice mailed by certified mail pursuant
27 to subsection 1 is made and completed when the notice
28 is enclosed in a sealed envelope with the proper
29 postage on the envelope, addressed to the occupant
30 or successor at the last known mailing address, and
31 deposited in a mail receptacle provided by the United
32 States postal service."
33 7. Page 4, line 12, by inserting after the word
34 "section." the following: "The purchaser shall apply
35 for a new title to a vehicle by the procedures outlined
36 in section 321.47. For all other property which has
37 a written title, the purchaser shall follow the
38 applicable procedures for the property for the transfer
39 of title by operations of law."
40 8. Page 4, by striking lines 15 through 18 and
41 inserting in lieu thereof the following: "hold the
42 balance in a segregated escrow account for a period
43 of ninety days for delivery on demand to the occupant.
44 If the occupant does not claim the balance within
45 ninety days, the moneys shall be paid to the county
46 treasurer in the county where the facility is located.
47 The county treasurer shall hold the money for a period
48 of two years. If a claim is not made by the owner
49 for the funds, then the funds shall become the property
50 of the county. There shall be no further recourse

SENATE 17
MARCH 29, 1984

S-5584
PAGE 2

1 by any person against the owner for an action pursuant
2 to this section."

3 9. Page 4, by inserting after line 23 the
4 following:

5 "Sec. 6. NEW SECTION. 578A.6 RESIDENCE. An
6 occupant shall not use a self-service storage facility
7 for residential purposes. A self-service storage
8 facility is not a warehouse as defined in chapter
9 554."

S-5584 FILED
MARCH 28, 1984

RECEIVED FROM THE HOUSE

Senate concurred 4/2 (p. 1214)

SENATE FILE 163

H-5279

1 Amend Senate File 163 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 18 through 21 and
4 inserting in lieu thereof the following:

5 "3. "Occupant" means a person, in privity with
6 the owner, entitled to the use to the exclusion of
7 others of the storage space at a self-service storage
8 facility pursuant to privity with the owner."

9 2. Page 1, line 23, by inserting after the word
10 "oral" the words "between the owner and occupant".

11 3. Page 1, line 31, by inserting after the word
12 "occupant" the words "by certified mail".

13 4. Page 2, by striking lines 9 through 12 and
14 inserting in lieu thereof the following: "chapter.
15 The lien provided for in this section shall not have
16 priority over a lien or security interest perfected
17 prior to the time the personal property is placed
18 within or upon the self-storage facility. The lien
19 attaches as of the date the personal property is
20 brought to the self-service storage facility."

21 5. Page 2, line 17, by inserting after the word
22 "son" the words "with acceptance to be signed by the
23 occupant".

24 6. Page 3, by striking lines 7 through 9 and
25 inserting in lieu thereof the following:

26 "2. A notice mailed by certified mail pursuant
27 to subsection 1 is made and completed when the notice
28 is enclosed in a sealed envelope with the proper
29 postage on the envelope, addressed to the occupant
30 or successor at the last known mailing address, and
31 deposited in a mail receptacle provided by the United
32 States postal service."

33 7. Page 4, line 12, by inserting after the word
34 "section." the following: "The purchaser shall apply
35 for a new title to a vehicle by the procedures outlined
36 in section 321.47. For all other property which has
37 a written title, the purchaser shall follow the
38 applicable procedures for the property for the transfer
39 of title by operations of law."

40 8. Page 4, by striking lines 15 through 18 and
41 inserting in lieu thereof the following: "hold the
42 balance in a segregated escrow account for a period
43 of ninety days for delivery on demand to the occupant.
44 If the occupant does not claim the balance within
45 ninety days, the moneys shall be paid to the county
46 treasurer in the county where the facility is located.
47 The county treasurer shall hold the money for a period
48 of two years. If a claim is not made by the owner
49 for the funds, then the funds shall become the property
of the county. There shall be no further recourse

H-5279

Page Two

1 by any person against the owner for an action pursuant
2 to this section."

3 9. Page 4, by inserting after line 23 the
4 following:

5 "Sec. 6. NEW SECTION. 578A.6 RESIDENCE. An
6 occupant shall not use a self-service storage facility
7 for residential purposes. A self-service storage
8 facility is not a warehouse as defined in chapter
9 554."

H-5279 FILED FEB. 24, 1984

Adopted 3/26 (p. 1290)

BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

that any container including a trunk, valise, or box that is locked, fastened, sealed, or tied in a manner which deters immediate access to its contents shall be described as such without describing its contents.

c. A statement that the occupant is denied access to the personal property, if a denial is permitted under the rental agreement. The statement shall provide the name, street address, and telephone number of the owner, or the owner's designated agent, whom the occupant may contact to respond to this notice.

d. A demand for payment within a specified time not less than fourteen days after delivery of the notice.

e. A conspicuous statement that unless the claim is paid within the time stated in the notice, the personal property will be advertised for sale or other disposition, and will be sold or otherwise disposed of at a specified time and place.

2. A notice mailed by certified mail pursuant to subsection 1 is made and completed when the notice is enclosed in a sealed envelope with the proper postage on the envelope, addressed to the occupant or successor at the last known mailing address, and deposited in a mail receptacle provided by the United States postal service.

3. After the expiration of the time given in the notice, an advertisement of the sale or other disposition shall be published once a week for two consecutive weeks in a newspaper of general circulation in the county where the self-service storage facility is located. The advertisement shall include:

a. A brief and general description of the personal property reasonably adequate to permit its identification as provided for in subsection 1, paragraph b.

b. The address of the self-service storage facility, the number, if any, of the space where the personal property is located, and the name of the occupant.

c. The time, place, and manner of the sale or other disposition. The sale or other disposition shall take place not sooner than fifteen days after the first publication.

If there is no newspaper of general circulation where the self-service storage facility is located, the advertisement shall be posted at least ten days before the date of the sale or other disposition in at least six conspicuous places in the neighborhood where the self-service storage facility is located.

4. A sale or other disposition of the personal property shall conform to the terms of the notification provided for in this section.

5. A sale or other disposition of the personal property shall be held at the self-service storage facility, or at the nearest suitable place to where the personal property is held or stored.

6. Before a sale or other disposition of personal property is made pursuant to this section, the occupant may pay the amount necessary to satisfy the lien, and the reasonable expenses incurred under this section, and redeem the personal property. Upon receipt of such payment, the owner shall return the personal property.

7. A purchaser in good faith of the personal property sold to satisfy the lien takes the property free of any rights of persons against whom the lien was valid, despite noncompliance by the owner with the requirements of this section. The purchaser shall apply for a new title to a vehicle by the procedures outlined in section 321.47. For all other property which has a written title, the purchaser shall follow the applicable procedures for the property for the transfer of title by operations of law.

8. In the event of a sale under this section, the owner may satisfy the lien from the proceeds of the sale, but shall hold the balance in a segregated escrow account for a period of ninety days for delivery on demand to the occupant. If the occupant does not claim the balance within ninety days, the moneys shall be paid to the county treasurer in the county where the facility is located. The county treasurer shall hold the money for a period of two years. If a claim is not made by the owner for the funds, then the funds shall become

SENATE FILE 163

AN ACT

CREATING A POSSESSORY LIEN ON PERSONAL PROPERTY IN A SELF-SERVICE STORAGE FACILITY AND ESTABLISHING A METHOD FOR ENFORCING THE LIEN.

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

Section 1. NEW SECTION. 578A.1 SHORT TITLE. This Act shall be known as the "Iowa Self-Service Storage Facility Lien Act".

Sec. 2. NEW SECTION. 578A.2 DEFINITIONS. As used in this chapter, unless the context clearly requires otherwise:

1. "Self-service storage facility" means real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing personal property. If an owner issues a warehouse receipt, bill of lading, or other document of title for the personal property stored, the owner and the occupant are subject to chapter 554, article 7 and this chapter does not apply.

2. "Owner" means the owner, operator, lessor, or sublessor of a self-service storage facility, the agent, or any other person authorized by the owner to manage the facility, or to receive rent from an occupant under a rental agreement.

3. "Occupant" means a person, in privity with the owner, entitled to the use to the exclusion of others of the storage space at a self-service storage facility pursuant to privity with the owner.

4. "Rental agreement" means an agreement or lease, written or oral between the owner and occupant, that establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of a self-service storage facility.

5. "Personal property" means movable property not affixed to land, and includes, but is not limited to goods, merchandise, and household items.

6. "Last known address" means that address provided by the occupant in the latest rental agreement, or the address provided by the occupant by certified mail in a subsequent written notice of a change of address.

7. "Possessory lien" means a lien on a personal property that is valid only while the property is in the possession of the person asserting the lien or an agent of the person.

Sec. 3. NEW SECTION. 578A.3 LIEN. The owner of a self-service storage facility and the heirs, executors, administrators, successors, and assigns have a possessory lien upon all personal property located at a self-service storage facility for rent, labor, or other reasonable charges, in relation to the storage of the personal property, and for expenses necessary for its preservation, or expenses reasonably incurred in its sale or other disposition pursuant to this chapter. The lien provided for in this section shall not have priority over a lien or security interest perfected prior to the time the personal property is placed within or upon the self-storage facility. The lien attaches as of the date the personal property is brought to the self-service storage facility.

Sec. 4. NEW SECTION. 578A.4 ENFORCEMENT OF LIEN. An owner's lien for a claim which has become due may be satisfied as follows:

1. The occupant shall be notified by delivering in person with acceptance to be signed by the occupant or by mailing by certified mail to the last known address of the occupant, a notice which shall include:

a. An itemized statement of the owner's claim showing the amount due at the time of the notice and the date when the amount became due.

b. A brief and general description of the personal property subject to the lien. The description shall be reasonably adequate to permit the person notified to identify it, except

the property of the county. There shall be no further recourse by any person against the owner for an action pursuant to this section.

Sec. 5. NEW SECTION. 578A.5 SUPPLEMENTAL NATURE OF ACT. This chapter does not impair or affect the right of parties to create liens by special contract or agreement, nor does it affect or impair other liens arising at common law or in equity, or by a statute of this state.

Sec. 6. NEW SECTION. 578A.6 RESIDENCE. An occupant shall not use a self-service storage facility for residential purposes. A self-service storage facility is not a warehouse as defined in chapter 554.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 163, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 23, 1984

TERRY E. BRANSTAD
Governor