

*Reprint 1/16/86*

TRANSPORTATION: A. Miller, Chair; Hall and Goodwin

MAR 22 1985

HOUSE FILE 710

Place On Calendar

BY COMMITTEE ON TRANSPORTATION

(Formerly House Study Bill 49)

Passed House, Date 3-28-85 (j. 1139) Passed Senate, Date \_\_\_\_\_

Vote: Ayes 77 Nays 18 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

*Motion to reconsider (j. 1167)*

### A BILL FOR

- 1 An Act relating to the establishment and the regulation of
- 2 vehicular traffic within rural residence districts,
- 3 making penalties applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H-3454

HOUSE FILE 710

1 Amend House File 710 as follows:

- 2 1. Page 1, by striking lines 27 through 30, and
- 3 inserting the following: "data considered pertinent
- 4 by the board of supervisors."

H-3454 FILED MARCH 26, 1985

BY SPEAR of Lee

*Adopted 3/28/85 (j. 1139)*

HF 710

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1 Section 1. Section 321.1, Code 1985, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 60A. "Rural residence district" means an  
4 unincorporated area established by a county board of  
5 supervisors which is contiguous to and including a secondary  
6 highway, not comprising a business district, where forty  
7 percent or more of the frontage of the highway for a distance  
8 of three hundred feet or more is occupied by dwellings or by  
9 dwellings and buildings in use for business. For purposes of  
10 this subsection, farm houses and farm buildings are not to be  
11 considered.

12 Sec. 2. Section 321.236, Code 1985, is amended by adding  
13 the following new subsection:

3 454 14 NEW SUBSECTION. 13. Establishing a rural residence dis-  
15 trict. The board of supervisors of a county with respect to  
16 highways under its jurisdiction may establish, by ordinance or  
17 resolution, rural residence districts and may, by ordinance or  
18 resolution, regulate the speed and parking of vehicles within  
19 the rural residence district consistent with sections 321.239,  
20 321.285, and 321.293. Before establishing a rural residence  
21 district, the board of supervisors shall hold a public hearing  
22 on the proposal, notice of which shall be published in a  
23 newspaper having a general circulation in the area where the  
24 proposed district is located at least twenty days before the  
25 date of hearing. The notice shall state the time and place of  
26 the hearing, the proposed location of the district, and other  
27 data considered pertinent by the board of supervisors. This  
28 subsection applies only to counties with a population of more  
29 than two hundred thousand as determined from the most recent  
30 federal decennial census.

31 Sec. 3. Section 321.237, unnumbered paragraph 1, Code  
32 1985, is amended to read as follows:

33 ~~No~~ A traffic ordinance or regulation enacted under  
34 subsection 4, 5, 6, 8, or 12 or 13 of section 321.236 shall  
35 not be effective until signs, giving notice of such local

1 traffic regulations as specified in the department manual on  
2 uniform traffic-control devices, are posted upon or at the  
3 entrances to the highway or part thereof affected as may be  
4 most appropriate and shall be erected at the expense of such  
5 municipality the local authority.

6 Sec. 4. Section 321.354, unnumbered paragraph 1, Code  
7 1985, is amended to read as follows:

8 Upon any highway outside of a business district, rural  
9 residence district or residence district a person shall not  
10 stop, park, or leave standing a vehicle, whether attended or  
11 unattended:

12 EXPLANATION

13 This bill provides for the establishment of rural residence  
14 districts in unincorporated areas by county boards of  
15 supervisors for counties with a population of more than two  
16 hundred thousand as determined from the most recent federal  
17 decennial census. The districts must be contiguous to and  
18 including a secondary highway where 40 percent or more of the  
19 frontage of the highway for a distance of 300 feet is occupied  
20 by dwellings or by dwellings and buildings in use for  
21 business, provided the area is not a business district. This  
22 definition is similar to the definition of residence district  
23 for territories located within a city. Before establishing  
24 the rural residence district the board is required to hold a  
25 public hearing on the proposal.

26 The bill allows county boards of supervisors to pass  
27 ordinances regulating the speed and parking of vehicles within  
28 the rural residence district. The speed limit for the  
29 unsurfaced secondary roads in the district is 50 mph, and on  
30 surfaced secondary roads is 55 mph. However, a county board  
31 of supervisors can set a lower speed limit if the 50 mph or 55  
32 mph limit is greater than the "reasonable and proper" speed as  
33 determined on the basis of an engineering and traffic  
34 investigation conducted by the state department of  
35 transportation. Before the local speed or parking ordinance

1 can take effect in the district, signs giving notice of the  
2 regulations must be posted upon the highway.

3 The bill also exempts rural residence districts from the  
4 parking, stopping, or standing restrictions of section  
5 321.354.

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HOUSE FILE 710

BY COMMITTEE ON TRANSPORTATION

(As Amended and Passed by the House March 28, 1985)

Passed House, Date 3-28-85 (p. 1139) Passed Senate, Date 4-1-86 (p. 941)

Vote: Ayes 77 Nays 18 Vote: Ayes 46 Nays 2

Approved April 10, 1986 (p. 1406)

## A BILL FOR

1 An Act relating to the establishment and the regulation of  
2 vehicular traffic within rural residence districts,  
3 making penalties applicable.

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

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Stricken Language \*

House Amendments \_\_\_\_\_

1 Section 1. Section 321.1, Code 1985, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 60A. "Rural residence district" means an  
4 unincorporated area established by a county board of  
5 supervisors which is contiguous to and including a secondary  
6 highway, not comprising a business district, where forty  
7 percent or more of the frontage of the highway for a distance  
8 of three hundred feet or more is occupied by dwellings or by  
9 dwellings and buildings in use for business. For purposes of  
10 this subsection, farm houses and farm buildings are not to be  
11 considered.

12 Sec. 2. Section 321.236, Code 1985, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 13. Establishing a rural residence dis-  
15 trict. The board of supervisors of a county with respect to  
16 highways under its jurisdiction may establish, by ordinance or  
17 resolution, rural residence districts and may, by ordinance or  
18 resolution, regulate the speed and parking of vehicles within  
19 the rural residence district consistent with sections 321.239,  
20 321.285, and 321.293. Before establishing a rural residence  
21 district, the board of supervisors shall hold a public hearing  
22 on the proposal, notice of which shall be published in a  
23 newspaper having a general circulation in the area where the  
24 proposed district is located at least twenty days before the  
25 date of hearing. The notice shall state the time and place of  
26 the hearing, the proposed location of the district, and other  
\*27 data considered pertinent by the board of supervisors.

28 Sec. 3. Section 321.237, unnumbered paragraph 1, Code  
29 1985, is amended to read as follows:

30 ~~No~~ A traffic ordinance or regulation enacted under  
31 subsection 4, 5, 6, 8, or 12 or 13 of section 321.236 shall  
32 not be effective until signs, giving notice of such local  
33 traffic regulations as specified in the department manual on  
34 uniform traffic-control devices, are posted upon or at the  
35 entrances to the highway or part thereof affected as may be

1 most appropriate and shall be erected at the expense of such  
2 municipality the local authority.

3 Sec. 4. Section 321.354, unnumbered paragraph 1, Code  
4 1985, is amended to read as follows:

5 Upon any highway outside of a business district, rural  
6 residence district or residence district a person shall not  
7 stop, park, or leave standing a vehicle, whether attended or  
8 unattended:

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HSB 49

TRANSPORTATION

Muhlbauer Chair  
De Groot  
Cooper

New  
HF 710

HOUSE FILE 710

BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL)

Study Bill 49

Transportation: Muhlbauer, Chair; Cooper and De Groot.

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the establishment and the regulation of  
2 vehicular traffic within rural residence districts,  
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4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.1, Code 1985, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 60A. "Rural residence district" means an  
4 unincorporated area established contiguous to and including a  
5 secondary highway, not comprising a business district, where  
6 forty percent or more of the frontage of the highway for a  
7 distance of three hundred feet or more is occupied by  
8 dwellings or by dwellings and buildings in use for business.

9 Sec. 2. Section 321.236, Code 1985, is amended by adding  
10 the following new subsection:

11 NEW SUBSECTION. 13. Establishing a rural residence dis-  
12 trict. The board of supervisors of a county with respect to  
13 highways under its jurisdiction may establish, by ordinance or  
14 resolution, rural residence districts and may, by ordinance or  
15 regulation, regulate the speed and parking of vehicles within  
16 the rural residence district consistent with section 321.285.  
17 Before establishing a rural residence district, the board of  
18 supervisors shall hold a public hearing on the proposal,  
19 notice of which shall be published in a newspaper having a  
20 general circulation in the area where the proposed district is  
21 located at least twenty days before the date of hearing. The  
22 notice shall state the time and place of the hearing, the  
23 proposed location of the district, and other data considered  
24 pertinent by the board of supervisors.

25 Sec. 3. Section 321.237, unnumbered paragraph 1, Code  
26 1985, is amended to read as follows:

27 No A traffic ordinance or regulation enacted under  
28 subsection 4, 5, 6, 8, ~~or~~ 12 or 13 of section 321.236 shall  
29 not be effective until signs, giving notice of such local  
30 traffic regulations as specified in the department manual on  
31 uniform traffic-control devices, are posted upon or at the  
32 entrances to the highway or part thereof affected as may be  
33 most appropriate and shall be erected at the expense of such  
34 municipality the local authority.

35 Sec. 4. Section 321.285, subsection 2, Code 1985, is

1 amended to read as follows:

2 2. Twenty-five miles per hour in any residence, rural  
3 residence or school district.

4 Sec. 5. Section 321.354, unnumbered paragraph 1, Code  
5 1985, is amended to read as follows:

6 Upon any highway outside of a business district, rural  
7 residence district or residence district a person shall not  
8 stop, park, or leave standing a vehicle, whether attended or  
9 unattended:

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EXPLANATION

11 This bill provides for the establishment of rural residence  
12 districts in unincorporated areas by county boards of  
13 supervisors. The districts must be contiguous to and  
14 including a secondary highway where 40 percent or more of the  
15 frontage of the highway for a distance of 300 feet is occupied  
16 by dwellings or by dwellings and buildings in use for  
17 business, provided the area is not a business district.  
18 Before establishing the rural residence district the board is  
19 required to hold a public hearing on the proposal.

20 The bill establishes a 25 mph speed limit for rural  
21 residential districts. Under current law the speed limit for  
22 a business district is 20 mph, a residence or school district  
23 25 mph, a suburban district 45 mph, unsurfaced secondary roads  
24 50 mph, and surfaced secondary roads 55 mph. However, on  
25 secondary roads, a county board of supervisors can currently  
26 set a lower speed limit if the 50 mph or 55 mph limit is  
27 greater than the "reasonable and proper" speed as determined  
28 on the basis of an engineering and traffic investigation  
29 conducted by the state department of transportation.

30 The bill also exempts rural residence districts from the  
31 parking, stopping, or standing restrictions of section  
32 321.354.

33 The bill allows county boards of supervisors to pass  
34 ordinances regulating the speed and parking of vehicles within  
35 the rural residence district. The speed restriction may not

1 be inconsistent with section 321.285. Before the local speed  
2 or parking ordinance can take effect, signs giving notice of  
3 the regulations must be posted upon the highway.

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HOUSE FILE 710

AN ACT

RELATING TO THE ESTABLISHMENT AND THE REGULATION OF VEHICULAR TRAFFIC WITHIN RURAL RESIDENCE DISTRICTS, MAKING PENALTIES APPLICABLE.

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

Section 1. Section 321.1, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 60A. "Rural residence district" means an unincorporated area established by a county board of supervisors which is contiguous to and including a secondary highway, not comprising a business district, where forty percent or more of the frontage of the highway for a distance of three hundred feet or more is occupied by dwellings or by dwellings and buildings in use for business. For purposes of this subsection, farm houses and farm buildings are not to be considered.

Sec. 2. Section 321.236, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 13. Establishing a rural residence district. The board of supervisors of a county with respect to highways under its jurisdiction may establish, by ordinance or resolution, rural residence districts and may, by ordinance or resolution, regulate the speed and parking of vehicles within the rural residence district consistent with sections 321.239, 321.285, and 321.293. Before establishing a rural residence district, the board of supervisors shall hold a public hearing on the proposal, notice of which shall be published in a newspaper having a general circulation in the area where the proposed district is located at least twenty days before the date of hearing. The notice shall state the time and place of the hearing, the proposed location of the district, and other data considered pertinent by the board of supervisors.

Sec. 3. Section 321.237, unnumbered paragraph 1, Code 1985, is amended to read as follows:

No A traffic ordinance or regulation enacted under subsection 4, 5, 6, 8, or 12 or 13 of section 321.236 shall not be effective until signs, giving notice of such local traffic regulations as specified in the department manual on uniform traffic-control devices, are posted upon or at the entrances to the highway or part thereof affected as may be most appropriate and shall be erected at the expense of such municipality the local authority.

Sec. 4. Section 321.354, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Upon any highway outside of a business district, rural residence district or residence district a person shall not stop, park, or leave standing a vehicle, whether attended or unattended:

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DONALD D. AVENSON  
Speaker of the House

---

ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 710, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved *April 10*, 1986

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TERRY E. BRANSTAD  
Governor

H.F. 710