

No. Passed 3/14/87 (y. 172)

SENATE FILE **319**

FILED MAR 04 1987

BY PALMER
Substituted for H. F. 324

Passed Senate, Date 3-23-87 (y. 262) Passed House, Date 4-10-87 (y. 1245)

Vote: Ayes 48 Nays 0 Vote: Ayes 94 Nays 0

Approved May 5, 1987 (y. 1712)
Proposed Senate as amended by Howard
4/21/87 (y. 1411)
45-0

A BILL FOR

1 An Act relating to the condition of a building as a basis for the
2 filing of a petition or hearing procedures.

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

HOUSE AMENDMENT TO
SENATE FILE 319

S-3545

- 1 Amend Senate File 319, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 19 the
- 4 following:
- 5 "Sec. ____ . Section 657A.2, Code 1987, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 6. For the purpose of abatement
- 8 in connection with property in a city with a
- 9 population of less than one hundred thousand a
- 10 petition for abatement must include the allegation
- 11 that a building is abandoned and is in a dangerous or
- 12 unsafe condition."
- 13 2. By renumbering as necessary.

S-3545

Filed April 14, 1987
Senate concurred 4/20/87 (y. 1410)

RECEIVED FROM THE HOUSE

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1 Section 1. Section 657A.2, subsections 2 and 3, Code 1987,
2 are amended to read as follows:

3 2. If a petition filed pursuant to this chapter alleges
4 that a building is abandoned and or is in a dangerous or
5 unsafe condition, the city, neighboring landowner, or
6 nonprofit corporation may apply for an injunction requiring
7 the owner of the building to correct the condition or to
8 eliminate the condition or violation. The court shall conduct
9 a hearing at least twenty days after written notice of the
10 application for an injunction and of the date and time of the
11 hearing is served upon the owner of the building. Notice of
12 the hearing shall be served in the manner provided in
13 subsection 1.

14 3. If the court finds at the hearing that the building is
15 abandoned and or is in a dangerous or unsafe condition, the
16 court shall issue an injunction requiring the owner to correct
17 the condition or to eliminate the violation, or another order
18 that the court considers necessary or appropriate to correct
19 the condition or to eliminate the violation.

20 EXPLANATION

21 This bill provides that the basis for filing a petition for
22 abatement of hazardous conditions regarding a building may be
23 the allegation that a building is abandoned or in a dangerous
24 or unsafe condition. It also provides that the findings of
25 the court at the hearing conducted following the application
26 for an injunction may be that the building is abandoned or is
27 in a dangerous or unsafe condition.

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SENATE FILE 319

include the allegation that a building is abandoned and is in a dangerous or unsafe condition.

AN ACT
RELATING TO THE CONDITION OF A BUILDING AS A BASIS FOR THE
FILING OF A PETITION OR HEARING PROCEDURE.

JO ANN ZIMMERMAN
President of the Senate

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

DONALD D. AVENSON
Speaker of the House

Section 1. Section 657A.2, subsections 2 and 3, Code 1987, are amended to read as follows:

I hereby certify that this bill originated in the Senate and is known as Senate File 319, Seventy-second General Assembly.

2. If a petition filed pursuant to this chapter alleges that a building is abandoned and or is in a dangerous or unsafe condition, the city, neighboring landowner, or nonprofit corporation may apply for an injunction requiring the owner of the building to correct the condition or to eliminate the condition or violation. The court shall conduct a hearing at least twenty days after written notice of the application for an injunction and of the date and time of the hearing is served upon the owner of the building. Notice of the hearing shall be served in the manner provided in subsection 1.

JOHN F. DWYER
Secretary of the Senate

Approved May 5, 1987

3. If the court finds at the hearing that the building is abandoned and or is in a dangerous or unsafe condition, the court shall issue an injunction requiring the owner to correct the condition or to eliminate the violation, or another order that the court considers necessary or appropriate to correct the condition or to eliminate the violation.

TERRY E. BRANSTAD
Governor

Sec. 2. Section 657A.2, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 6. For the purpose of abatement in connection with property in a city with a population of less than one hundred thousand a petition for abatement must

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