

Sen. L... Sent 2/25 to House 3/6 (p. 903)
FEB 8 1990

HOUSE FILE 2341

LOCAL GOVERNMENT
20 ... (p. 701)

BY CHAPMAN

Passed House, Date 2/22/90 (p. 609) Passed Senate, Date 3/13/90 (p. 1052)
Vote: Ayes 93 Nays 3 Vote: Ayes 47 Nays 0
Approved March 19, 1990 (p. 1225)

A BILL FOR

1 An Act relating to airport zoning regulations by allowing
2 conformance with federal aviation regulations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HF 2341

1 Section 1. Section 329.10, subsections 2 and 3, Code 1989,
2 are amended to read as follows:

3 2. a. No-airport Airport zoning regulations adopted under
4 this chapter ~~shall~~ may require, at the municipality's expense,
5 the removal, lowering, or other change or alteration of any
6 structure or tree, or ~~interfere-with-any~~ a change in use, not
7 conforming to the regulations when adopted or amended, ~~except~~
8 ~~that-they.~~

9 b. Airport zoning regulations adopted under this chapter
10 may require the a property owner thereof to permit the
11 municipality at its own expense to install, operate, and
12 maintain ~~thereon-such~~ on the property markers and lights as
13 ~~may-be~~ necessary to indicate to operators of aircraft the
14 presence of the airport hazard.

15 3. All such regulations ~~shall~~ may provide that no a pre-
16 existing nonconforming structure, tree, or use, shall not be
17 replaced, rebuilt, altered, allowed to grow higher, or
18 replanted, so as to constitute a greater airport hazard than
19 it was when ~~such~~ the airport zoning regulations or amendments
20 ~~thereto~~ to the regulations were adopted.

21 EXPLANATION

22 This bill allows a city or county to enact zoning
23 regulations that permit the removal or lowering of trees and
24 structures from air navigation areas to conform to the federal
25 aviation administration grant assurance provisions.

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it was when such the airport zoning regulations or amendments thereto to the regulations were adopted.

HOUSE FILE 2341

AN ACT
RELATING TO AIRPORT ZONING REGULATIONS BY ALLOWING CONFORMANCE
WITH FEDERAL AVIATION REGULATIONS.

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

Section 1. Section 329.10, subsections 2 and 3, Code 1989, are amended to read as follows:

2. a. No-airport Airport zoning regulations adopted under this chapter ~~shall~~ may require, at the municipality's expense, the removal, lowering, or other change or alteration of any structure or tree, or ~~interfere with any a change in~~ use, not conforming to the regulations when adopted or amended, ~~except that they.~~

b. Airport zoning regulations adopted under this chapter may require the a property owner thereof to permit the municipality at its own expense to install, operate, and maintain ~~thereon such on the property~~ markers and lights as ~~may be~~ necessary to indicate to operators of aircraft the presence of the airport hazard.

3. All such regulations ~~shall~~ may provide that no a pre-existing nonconforming structure, tree, or use, shall not be replaced, rebuilt, altered, allowed to grow higher, or replanted, so as to constitute a greater airport hazard than

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2341, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 19, 1990

TERRY E. BRANSTAD
Governor

HF 2341

