

Reprinted

FEB 13 1982

HOUSE FILE 2244
BY COMMITTEE ON TRANSPORTATION

Place On Calendar

(SUCCESSOR TO HF 2047)

Passed House, Date 3/16/82 (S. 601) Passed Senate, Date _____
Vote: Ayes 94 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to notice requirements for hearings on the
2 vacation and closing of roads or railroad crossings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

HF 2244

1 Section 1. Section 306.12, Code 1991, is amended to read
2 as follows:

3 306.12 NOTICE -- SERVICE.

4 Notice of such the hearing under section 306.11 shall be
5 published in some a newspaper of general circulation in the
6 county or counties where such the road is located, at-least
7 not less than four nor more than twenty days prior to the date
8 of hearing. The agency which ~~instituted-said-proceedings-and~~
9 is holding such the hearing, shall notify all adjoining
10 property owners, all utility companies whose facilities adjoin
11 the road right of way, and the department, the agency or
12 boards of supervisors, or agency in control of affected state
13 lands, ~~as-the-case-may-be~~, of the time and place of such the
14 hearing, by certified mail addressed to the affected property
15 owners, all utility companies whose facilities are on the road
16 right of way and the department, the county auditor, or the
17 agency in control of affected state lands, ~~as-the-case-may-be~~.

18 EXPLANATION

19 This bill requires that the notice for a hearing to vacate
20 and close a road or railroad crossing must be published in a
21 newspaper of general circulation not less than four nor more
22 than 20 days prior to the date of the hearing. Prior law
23 required publication at least 20 days prior to the date of the
24 hearing. This bill makes the notice requirement consistent
25 with other notification provisions in the Code.

26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2244

H-5073

1 Amend House File 2244, as follows:

2 1. Page 1, line 11, by striking the words "the
3 agency or" and inserting the following: "the-agency
4 or".

By SPEAR of Lee

H-5073 FILED FEBRUARY 18, 1992

Adopted 3/16

HOUSE FILE 2244

H-5074

1 Amend House File 2244, as follows:

2 1. Page 1, line 11, by inserting after the word
3 "way" the following: "or are on the road right of
4 way".

By SPEAR of Lee

H-5074 FILED FEBRUARY 18, 1992

Adopted 3/16

HOUSE FILE 2244

H-5075

1 Amend House File 2244 as follows:

2 1. Page 1, by striking lines 14 through 17 and
3 inserting the following: "hearing, by certified mail
4 ~~addressed-to-the-affected-property-owners,-all-utility~~
5 ~~companies-whose-facilities-are-on-the-road-right-of~~
6 ~~way-and-the-department,-the-county-auditor,-or-the~~
7 ~~agency-in-control-of-affected-state-lands,-as-the-case~~
8 ~~may-be."~~

By SPEAR of Lee

H-5075 FILED FEBRUARY 18, 1992

Adopted 3/16

Gen. Frank ... Do Pass 3/25

HOUSE FILE 2244
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2047)

(As Amended and Passed by the House March 16, 1992)

Passed House, Date 3/16/92 (p. 607) Passed Senate, Date 3/30/92 (p. 1076)
Vote: Ayes 94 Nays 1 Vote: Ayes 49 Nays 0
Approved April 7, 1992 (p. 1280)

A BILL FOR

1 An Act relating to notice requirements for hearings on the
2 vacation and closing of roads or railroad crossings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House Amendments _____

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21

1 Section 1. Section 306.12, Code 1991, is amended to read
2 as follows:

3 306.12 NOTICE -- SERVICE.

4 Notice of ~~such~~ the hearing under section 306.11 shall be
5 published in ~~some~~ a newspaper of general circulation in the
6 county or counties where ~~such~~ the road is located, ~~at-least~~
7 not less than four nor more than twenty days prior to the date
8 of hearing. The agency which ~~instituted-said-proceedings-and~~
9 is holding ~~such~~ the hearing, shall notify all adjoining
10 property owners, all utility companies whose facilities adjoin
11 the road right of way or are on the road right of way, and the
12 department, ~~the-agency-or~~ boards of supervisors, or agency in
13 control of affected state lands, ~~as-the-case-may-be~~, of the
14 time and place of ~~such~~ the hearing, by certified mail
15 ~~addressed-to-the-affected-property-owners,-all-utility~~
16 ~~companies-whose-facilities-are-on-the-road-right-of-way-and~~
17 ~~the-department,-the-county-auditor,-or-the-agency-in-control~~
18 ~~of-affected-state-lands,-as-the-case-may-be.~~

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

~~the department, the county auditor, or the agency in control of affected state lands, as the case may be.~~

HOUSE FILE 2244

AN ACT

RELATING TO NOTICE REQUIREMENTS FOR HEARINGS ON THE VACATION AND CLOSING OF ROADS OR RAILROAD CROSSINGS.

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

Section 1. Section 306.12, Code 1991, is amended to read as follows:

306.12 NOTICE -- SERVICE.

Notice of such the hearing under section 306.11 shall be published in some a newspaper of general circulation in the county or counties where such the road is located, ~~at least~~ not less than four nor more than twenty days prior to the date of hearing. The agency which ~~instituted said proceedings and~~ is holding such the hearing, shall notify all adjoining property owners, all utility companies whose facilities adjoin the road right of way or are on the road right of way, and the department, ~~the agency or~~ boards of supervisors, or agency in control of affected state lands, ~~as the case may be~~; of the time and place of such the hearing, by certified mail ~~addressed to the affected property owners, all utility companies whose facilities are on the road right of way and~~

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2244, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 9, 1992

TERRY E. BRANSTAD
Governor

HF 2244