

FILED JAN 29 1996

SENATE FILE 2094
BY GIANNETTO

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation of certain agricultural
2 operations by counties.

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

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S.F. 2094

1 Section 1. Section 331.301, Code Supplement 1995, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 15. The board of supervisors may adopt
4 county legislation which regulates methods of applying manure
5 on land from agricultural operations.

6 Sec. 2. Section 335.2, Code 1995, is amended to read as
7 follows:

8 335.2 FARMS EXEMPT.

9 ~~Except to the extent required to implement section 335.27,~~
10 ~~no as provided in this section, an ordinance adopted under~~
11 ~~this chapter applies shall not apply to land, farm including~~
12 ~~houses, farm barns, farm outbuildings or other buildings or~~
13 ~~structures, which are is primarily adapted, by reason of~~
14 ~~nature and area, for use for an agricultural purposes purpose,~~
15 ~~while so used. However, the ordinances may apply to any~~ The
16 county board of supervisors may adopt an ordinance which
17 applies to any of the following:

18 1. A structure, building, dam, obstruction, deposit, or
19 excavation in or on the flood plains of any a river or stream.

20 2. The implementation of an agricultural preservation
21 ordinance as provided in section 335.27.

22 3. Land which the county board of supervisors determines
23 is environmentally fragile, including land which is
24 particularly susceptible to groundwater or surface water
25 contamination.

26 4. Land which is in close proximity to any area in which a
27 governmental body holds an interest, if the land has
28 facilities or scenery which attracts the public to congregate
29 and remain in the area for significant periods of time,
30 including a park or recreation area.

31 Sec. 3. Section 455B.203, Code Supplement 1995, is amended
32 by adding the following new subsection:

33 NEW SUBSECTION. 1A. A manure management plan shall comply
34 with all regulations for the application of the manure
35 established by a county as provided in section 331.301.

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EXPLANATION

This bill provides for the regulation of certain agricultural operations by counties. It provides that a county board of supervisors may adopt county legislation which regulates methods of applying animal manure from agricultural operations on land. It also provides that a county may adopt a county zoning ordinance which applies to land which is environmentally fragile or land which is in close proximity to public lands which have facilities or scenery which attract the public to congregate and remain in the area for significant periods of time.