

MAR 11 1999
LOCAL GOVERNMENT

HOUSE FILE 644
BY HUSER

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

A BILL FOR

1 An Act relating to annexation moratorium agreements and
2 annexation by certain cities.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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#F 644

1 Section 1. Section 368.4, Code 1999, is amended to read as
2 follows:

3 368.4 ANNEXING MORATORIUM.

4 A city, following notice and hearing, may by resolution
5 agree with another city or cities to refrain from annexing
6 specifically described territory for a period not to exceed
7 ten years and ~~following~~ during that time period the parties
8 to the agreement shall not annex territory described in the
9 agreement. Following notice and hearing, the cities may by
10 resolution extend the agreement for subsequent periods not to
11 exceed ten years each. Notice of a hearing shall be served on
12 the board, and a copy of the agreement and a copy of any
13 resolution extending an agreement shall be filed with the
14 board within thirty days of enactment. If such an agreement
15 is in force, the board shall dismiss a petition or plan which
16 violates the terms of the agreement.

17 Sec. 2. Section 368.17, Code 1999, is amended by adding
18 the following new subsections:

19 NEW SUBSECTION. 8. An annexation to a city that is
20 greater than ten thousand acres in area and in which five
21 percent or more of the city's geographical area is vacant or
22 undeveloped land or land which contains an abandoned building.
23 For purposes of this subsection, "vacant or undeveloped land"
24 means land that has no structures or improvements on it and
25 for which no building permit has been requested by any person
26 for the last twelve months. For the purposes of this
27 subsection, "abandoned building" means that a building has
28 remained vacant and has been in violation of the housing code
29 of the city in which the property is located for a period of
30 six consecutive months.

31 NEW SUBSECTION. 9. An annexation to a city that is ten
32 thousand acres or less in area if the territory proposed to be
33 annexed exceeds five hundred acres.

34 EXPLANATION

35 This bill provides that when cities enter into an

1 annexation moratorium agreement, none of the cities that are a
2 party to the agreement may annex any of the territory
3 described in the agreement for the duration of the agreement.

4 The bill provides that the city development board shall not
5 approve an annexation to a city if the city is greater than
6 10,000 acres in area and in which 5 percent or more of the
7 city's geographical area is vacant or undeveloped land or land
8 which contains an abandoned building. The bill also provides
9 that the city development board shall not approve an
10 annexation to a city if the city is 10,000 acres or less in
11 area and the territory proposed to be annexed exceeds 500
12 acres.

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