

House File 758

Bill Text

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1 1 HOUSE FILE 758
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1 3 AN ACT
1 4 RELATING TO THE AUTHORITY OF COUNTIES AND CITIES TO REQUIRE
1 5 STORM SHELTERS IN MOBILE HOME PARKS, PROVIDING A PROPERTY TAX
1 6 EXEMPTION, AND PROVIDING AN APPLICABILITY DATE.
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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 10 Section 1. Section [331.301](#), Code 1999, is amended by
1 11 adding the following new subsection:
1 12 NEW SUBSECTION. 15. a. A county may adopt and enforce an
1 13 ordinance requiring the construction of a storm shelter at a
1 14 mobile home park which is constructed after July 1, 1999. In
1 15 lieu of requiring construction of a storm shelter, a county
1 16 may require a park owner to provide a plan for the evacuation
1 17 of park residents to a safe place of shelter in times of
1 18 severe weather including tornadoes and high winds if the
1 19 county determines that a safe place of shelter is available
1 20 within a reasonable distance of the mobile home park for use
1 21 by park residents. Each evacuation plan prepared pursuant to
1 22 this subsection shall be filed with, and approved by, the
1 23 local emergency management agency. If construction of a storm
1 24 shelter is required, an ordinance adopted or enforced pursuant
1 25 to this subsection shall not include any of the following
1 26 requirements:
1 27 (1) That the size of the storm shelter be larger than the
1 28 equivalent of seven square feet for each mobile home space in
1 29 the mobile home park.
1 30 (2) That the storm shelter include a restroom if the
1 31 shelter is used exclusively as a storm shelter.
1 32 (3) That the storm shelter exceed the construction
1 33 specifications approved by a licensed professional engineer
1 34 and presented by the owner of the mobile home park.
1 35 b. For the purposes of this subsection:
2 1 (1) "Mobile home park" means a mobile home park as defined
2 2 in section 562B.7.
2 3 (2) "Storm shelter" means a single structure or multiple
2 4 structures designed to provide persons with temporary
2 5 protection from a storm.
2 6 Sec. 2. Section [364.3](#), Code 1999, is amended by adding the
2 7 following new subsection:
2 8 NEW SUBSECTION. 7. a. A city may adopt and enforce an
2 9 ordinance requiring the construction of a storm shelter at a
2 10 mobile home park which is constructed after July 1, 1999. In
2 11 lieu of requiring construction of a storm shelter, a city may
2 12 require a park owner to provide a plan for the evacuation of
2 13 park residents to a safe place of shelter in times of severe
2 14 weather including tornadoes and high winds if the city
2 15 determines that a safe place of shelter is available within a
2 16 reasonable distance of the mobile home park for use by park
2 17 residents. Each evacuation plan prepared pursuant to this
2 18 subsection shall be filed with, and approved by, the local
2 19 emergency management agency. If construction of a storm
2 20 shelter is required, an ordinance adopted or enforced pursuant
2 21 to this subsection shall not include any of the following

2 22 requirements:

2 23 (1) That the size of the storm shelter be larger than the
2 24 equivalent of seven square feet for each mobile home space in
2 25 the mobile home park.

2 26 (2) That the storm shelter include a restroom if the
2 27 shelter is used exclusively as a storm shelter.

2 28 (3) That the storm shelter exceed the construction
2 29 specifications approved by a licensed professional engineer
2 30 and presented by the owner of the mobile home park.

2 31 b. For the purposes of this subsection:

2 32 (1) "Mobile home park" means a mobile home park as defined
2 33 in section 562B.7.

2 34 (2) "Storm shelter" means a single structure or multiple
2 35 structures designed to provide persons with temporary
3 1 protection from a storm.

3 2 Sec. 3. Section [427.1](#), Code 1999, is amended by adding the
3 3 following new subsection:

3 4 NEW SUBSECTION. 30. MOBILE HOME PARK STORM SHELTER. A
3 5 structure constructed as a storm shelter at a mobile home park
3 6 as defined in section 435.1. If the structure serves a use in
3 7 addition to use as a storm shelter, the exemption shall apply
3 8 only to that portion of the structure which serves as a storm
3 9 shelter. An application for this exemption shall be filed
3 10 with the assessing authority not later than April fifteenth of
3 11 the first year for which the exemption is requested, on forms
3 12 provided by the department of revenue and finance. The
3 13 application shall describe and locate the storm shelter to be
3 14 exempted. If the storm shelter structure is used exclusively
3 15 as a storm shelter, all of the structure's assessed value
3 16 shall be exempt from taxation. If the storm shelter structure
3 17 is not used exclusively as a storm shelter, the storm shelter
3 18 structure which is not used exclusively as a storm shelter
3 19 shall be assessed for taxation at seventy-five percent of its
3 20 value as commercial property.

3 21 Sec. 4. APPLICABILITY. Section 3 of this Act applies to
3 22 property tax assessment years beginning on or after January 1,
3 23 2000.

3 24 Sec. 5. NONAPPLICABILITY. Section 25B.7 does not apply to
3 25 section 3 of this Act.

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BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

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4 2 I hereby certify that this bill originated in the House and
4 3 is known as House File 758, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON
Chief Clerk of the House

4 9 Approved _____, 1999

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THOMAS J. VILSACK
Governor

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