

FEB 18 2004
LOCAL GOVERNMENT

HOUSE FILE 2309
BY HOGG

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

A BILL FOR

1 An Act relating to the assessment and collection of penalty and
2 interest charges imposed for the late payment of building code
3 penalties, fines, and inspection and enforcement fees.

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

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HF 2309

1 Section 1. Section 364.17, subsection 3, paragraph a, Code
2 2003, is amended to read as follows:

3 a. A schedule of civil penalties or criminal fines for
4 violations. A city may charge the owner of housing, which is
5 not occupied by the owner, a late payment penalty of twenty-
6 five dollars plus interest of up to one and one-half percent
7 per month if a penalty or fine imposed under this paragraph is
8 not paid within thirty days of the date that the penalty or
9 fine is due. Any unpaid penalty, interest, or other fee shall
10 constitute a lien on the real property and shall be collected
11 in the same manner as general taxes.

12 Sec. 2. Section 364.17, subsection 5, Code 2003, is
13 amended to read as follows:

14 5. Cities may establish reasonable fees for inspection and
15 enforcement procedures. A city may charge the owner of
16 housing, which is not occupied by the owner, a late payment
17 penalty of twenty-five dollars plus interest of up to one and
18 one-half percent per month if a fee imposed under this
19 subsection is not paid within thirty days of the date that the
20 fee is due. Any unpaid penalty, interest, or other fee shall
21 constitute a lien on the real property and shall be collected
22 in the same manner as general taxes.

23 EXPLANATION

24 Under current law civil penalties and criminal fines may be
25 imposed for the violation of city housing codes; cities may
26 also impose fees for inspection and enforcement procedures.
27 This bill allows a city to impose late payment and interest
28 charges for nonresident owners for the late payment of these
29 penalties, fines, and fees. If these penalties, fines, and
30 fees remain unpaid, they will constitute a lien on the
31 property.

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