

MAR 12 2003  
Place On Calendar

HOUSE FILE **533**  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 112)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the review of subdivision plats by a local  
2 board of health or a county sanitarian.

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

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HF 533

1 Section 1. Section 354.8, Code 2003, is amended to read as  
2 follows:

3 354.8 REVIEW AND APPROVAL BY GOVERNING BODIES.

4 1. Prior to approval of a subdivision plat by a governing  
5 body pursuant to this section, all preliminary or proposed  
6 subdivision plats that are to be served, in part or entirely,  
7 by an on-site wastewater treatment and disposal system that  
8 serves the proposed subdivision shall have been reviewed and  
9 approved by the local board of health, the county sanitarian,  
10 or the entity delegated authority by the department of natural  
11 resources over nonpublic water wells and supplies and on-site  
12 wastewater treatment systems.

13 2. A proposed subdivision plat lying within the  
14 jurisdiction of a governing body shall be submitted to that  
15 governing body for review and approval prior to recording.  
16 Governing bodies shall apply reasonable standards and  
17 conditions in accordance with applicable statutes and  
18 ordinances for the review and approval of subdivisions. The  
19 governing body, within sixty days of application for final  
20 approval of the subdivision plat, shall determine whether the  
21 subdivision conforms to its comprehensive plan and shall give  
22 consideration to the possible burden on public improvements  
23 and to a balance of interests between the proprietor, future  
24 purchasers, and the public interest in the subdivision when  
25 reviewing the proposed subdivision and when requiring the  
26 installation of public improvements in conjunction with  
27 approval of a subdivision. The governing body shall not issue  
28 final approval of a subdivision plat unless the subdivision  
29 plat conforms to sections 354.6, 354.11, and 355.8.

30 ~~If the subdivision plat and all matters~~  
31 ~~ap~~ **HOUSE FILE 533**

32 ~~co~~ **H-1057**  
33 ~~th~~ **1 Amend House File 533 as follows:**  
34 ~~re:~~ **3 following: "resources over on-site".** **By KURTENBACH of Story**

35 ~~wh.~~ **H-1057 FILED MARCH 17, 2003**

1 refuse to accept a subdivision plat presented for recording  
2 without a resolution from each applicable governing body  
3 approving the subdivision plat or waiving the right to review.  
4 A city may establish jurisdiction to review subdivisions or  
5 plats of survey outside its boundaries pursuant to the  
6 provisions of section 354.9. In the case of a city, the  
7 provisions of this section apply to the review by the city of  
8 both subdivision plats and plats of survey.

9 EXPLANATION

10 This bill relates to the review of subdivision plats by a  
11 local board of health or a county sanitarian.

12 The bill provides that prior to approval of a subdivision  
13 plat by a governing body, all preliminary or proposed  
14 subdivision plats that are to be served, in part or entirely,  
15 by an on-site wastewater treatment and disposal system that  
16 serves the proposed subdivision shall have been reviewed and  
17 approved by the local board of health, the county sanitarian,  
18 or the entity delegated authority by the department of natural  
19 resources over nonpublic water wells and supplies and on-site  
20 wastewater treatment systems.

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Kurtenbach, Ch.  
Klemme  
Gaskill

Sub SF 0 ed By 533

HSB 112

ENVIRONMENTAL PROTECTION

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
ENVIRONMENTAL PROTECTION  
BILL BY CHAIRPERSON GREINER)

Passed House, Date \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the review of subdivision plats by a local  
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 354.8, Code 2003, is amended to read as  
2 follows:

3 354.8 REVIEW AND APPROVAL BY GOVERNING BODIES.

4 1. Prior to approval of a subdivision plat by a governing  
5 body pursuant to this section, all preliminary and final  
6 subdivision plats for a subdivision that is to be served by a  
7 private on-site wastewater treatment and disposal system or a  
8 community wastewater treatment and disposal system that only  
9 serves the subdivision shall be reviewed and approved by the  
10 local board of health or the county sanitarian. Any lot in  
11 the subdivision that is to be served by a private on-site  
12 wastewater treatment and disposal system shall be of adequate  
13 size to accommodate a future expansion of the system or a  
14 replacement system in the event of a system failure.

15 2. A proposed subdivision plat lying within the  
16 jurisdiction of a governing body shall be submitted to that  
17 governing body for review and approval prior to recording.  
18 Governing bodies shall apply reasonable standards and  
19 conditions in accordance with applicable statutes and  
20 ordinances for the review and approval of subdivisions. The  
21 governing body, within sixty days of application for final  
22 approval of the subdivision plat, shall determine whether the  
23 subdivision conforms to its comprehensive plan and shall give  
24 consideration to the possible burden on public improvements  
25 and to a balance of interests between the proprietor, future  
26 purchasers, and the public interest in the subdivision when  
27 reviewing the proposed subdivision and when requiring the  
28 installation of public improvements in conjunction with  
29 approval of a subdivision. The governing body shall not issue  
30 final approval of a subdivision plat unless the subdivision  
31 plat conforms to sections 354.6, 354.11, and 355.8.

32 If the subdivision plat and all matters related to final  
33 approval of the subdivision plat conform to the standards and  
34 conditions established by the governing body, and conform to  
35 this chapter and chapter 355, the governing body, by

1 resolution, shall approve the plat and certify the resolution  
2 which shall be recorded with the plat. The recorder shall  
3 refuse to accept a subdivision plat presented for recording  
4 without a resolution from each applicable governing body  
5 approving the subdivision plat or waiving the right to review.

6 A city may establish jurisdiction to review subdivisions or  
7 plats of survey outside its boundaries pursuant to the  
8 provisions of section 354.9. In the case of a city, the  
9 provisions of this section apply to the review by the city of  
10 both subdivision plats and plats of survey.

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17 private on-site wastewater treatment and disposal system or a  
18 community wastewater treatment and disposal system that only  
19 serves the subdivision shall be reviewed and approved by the  
20 local board of health or the county sanitarian. The bill  
21 provides that any lot in the subdivision that is to be served  
22 by a private on-site wastewater treatment and disposal system  
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24 the system or a replacement system in the event of a system  
25 failure.

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