

FILED MAR 6 '03

SENATE FILE

306

BY HATCH

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

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

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the construction, location, and accessibility  
2 of storm shelters at manufactured home communities and mobile  
3 home parks.

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

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SF 306 LOCAL GOVERNMENT

1 Section 1. Section 331.301, subsection 15, paragraph a,  
2 Code 2003, is amended to read as follows:

3 a. A county may adopt and enforce an ordinance requiring  
4 the construction of a storm shelter at a manufactured home  
5 community or mobile home park ~~which-is-constructed-after-July~~  
6 ~~17-1999~~. In lieu of requiring construction of a storm  
7 shelter, a county may require a community or park owner to  
8 provide a plan for the evacuation of community or park  
9 residents to a safe place of shelter in times of severe  
10 weather including tornadoes and high winds if ~~the-county~~  
11 ~~determines-that-a-safe-place-of~~ an adequately constructed and  
12 sized shelter is available within a ~~reasonable~~ distance of one  
13 thousand five hundred feet of the furthest manufactured or  
14 mobile home space in the manufactured home community or mobile  
15 home park for immediate and twenty-four-hour use by community  
16 or park residents as determined by the local emergency  
17 management agency. Each evacuation plan prepared pursuant to  
18 this subsection shall be filed with, and approved by, the  
19 local emergency management agency. If construction of a storm  
20 shelter is required, an ordinance adopted or enforced pursuant  
21 to this subsection shall ~~not~~ include ~~any-of~~ the following  
22 requirements:

23 (1) That the size of the storm shelter be ~~larger-than~~ at  
24 least the equivalent of seven twenty-two square feet for each  
25 manufactured or mobile home space in the manufactured home  
26 community or mobile home park.

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

29 (3) That the storm shelter ~~exceed-the-construction~~  
30 ~~specifications-approved-by-a-licensed-professional-engineer~~  
31 ~~and-presented-by-the-owner-of-the-manufactured-home-community~~  
32 ~~or-mobile-home-park~~ be constructed in accordance with the  
33 latest guidelines for community storm shelters adopted by the  
34 federal emergency management agency.

35 (4) That the shelter be located ~~any-closer~~ no farther than

1 one thousand ~~three~~ two hundred ~~twenty~~ feet from any  
2 manufactured or mobile home in the manufactured home community  
3 or mobile home park.

4 (5) That residents of the manufactured home community or  
5 mobile home park shall have immediate twenty-four-hour access  
6 to the shelter during severe weather.

7 Sec. 2. Section 364.3, subsection 8, paragraph a, Code  
8 2003, is amended to read as follow:

9 a. A city may adopt and enforce an ordinance requiring the  
10 construction of a storm shelter at a manufactured home  
11 community or mobile home park ~~which-is-constructed-after-July~~  
12 ~~17-1999~~. In lieu of requiring construction of a storm  
13 shelter, a city may require a community or park owner to  
14 provide a plan for the evacuation of community or park  
15 residents to a safe place of shelter in times of severe  
16 weather including tornadoes and high winds ~~if-the-city~~  
17 ~~determines-that-a-safe-place-of~~ an adequately constructed and  
18 sized shelter is available within a reasonable distance of one  
19 thousand five hundred feet of the furthest manufactured or  
20 mobile home space in the manufactured home community or mobile  
21 home park for immediate and twenty-four-hour use by community  
22 or park residents as determined by the local emergency  
23 management agency. Each evacuation plan prepared pursuant to  
24 this subsection shall be filed with, and approved by, the  
25 local emergency management agency. If construction of a storm  
26 shelter is required, an ordinance adopted or enforced pursuant  
27 to this subsection shall ~~not~~ include ~~any-of~~ the following  
28 requirements:

29 (1) That the size of the storm shelter be ~~larger-than~~ at  
30 least the equivalent of ~~seven~~ twenty-two square feet for each  
31 manufactured or mobile home space in the manufactured home  
32 community or mobile home park.

33 (2) That the storm shelter may include a restroom if the  
34 shelter is used exclusively as a storm shelter.

35 (3) That the storm shelter ~~exceed-the-construction~~

1 ~~specifications approved by a licensed professional engineer~~  
2 ~~and presented by the owner of the manufactured home community~~  
3 ~~or mobile home park~~ be constructed in accordance with the  
4 latest guidelines for community storm shelters adopted by the  
5 federal emergency management agency.

6 (4) That the shelter be located ~~any closer~~ no farther than  
7 one thousand ~~three~~ two hundred ~~twenty~~ feet from any  
8 manufactured or mobile home in the community. However, this  
9 restriction shall not prohibit the adoption or enforcement of  
10 an ordinance that requires a minimum of one shelter to be  
11 located in a manufactured home community or mobile home park.

12 (5) That residents of the manufactured home community or  
13 mobile home park shall have immediate twenty-four-hour access  
14 to the shelter during severe weather.

15 EXPLANATION

16 This bill provides that counties and cities who adopt an  
17 ordinance requiring the construction of a storm shelter within  
18 a manufactured home community and mobile home park, or  
19 requiring an evacuation plan to a shelter outside of the  
20 community or park, must ensure immediate 24-hour access to the  
21 shelter by residents during severe weather. The bill rescinds  
22 the restriction that counties and cities may only regulate  
23 communities or parks constructed after July 1, 1999. The bill  
24 specifies that if an evacuation plan is required, the shelter  
25 designated in the plan shall be no more than 1,500 feet from  
26 the furthest manufactured or mobile home space in the  
27 community or park and must be adequately constructed as  
28 approved by the local emergency management agency. The bill  
29 increases the required maximum size of a shelter from seven  
30 square feet to 22 square feet for each manufactured or mobile  
31 home space within the community or park. The bill decreases  
32 the required maximum distance between a shelter and any  
33 manufactured or mobile home within the community or park from  
34 1,320 feet to 1,200 feet. The bill provides that restrooms  
35 may be built in the shelter instead of not requiring restrooms

1 where the shelter is exclusively used as a storm shelter. The  
2 bill provides that the shelter must be constructed according  
3 to the latest standards adopted by the federal emergency  
4 management agency rather than the specifications of a licensed  
5 engineer and the owner of the community or park.

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