

FILED FEB 6 '03

SENATE FILE

98

BY DVORSKY and HOLVECK

(COMPANION TO LSB 1793HH

BY WINCKLER)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to manufactured and mobile homes by providing for
2 tenants' rights and safety.

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

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SF 98 LOCAL GOVERNMENT

1 Section 1. Section 331.301, subsection 15, paragraph a,
2 Code 2003, is amended by striking the paragraph and inserting
3 in lieu thereof the following:

4 a. (1) A county may adopt an ordinance requiring the
5 construction of a storm shelter or shelters at a manufactured
6 home community or mobile home park.

7 (2) Such an ordinance shall require all of the following:

8 (a) The storm shelter shall be constructed in accordance
9 with design and construction guidelines for community shelters
10 promulgated by the federal emergency management agency.

11 (b) The storm shelter shall have adequate space for the
12 maximum residential capacity of the manufactured home
13 community or mobile home park. This capacity shall be based
14 on the number of platted manufactured and mobile home spaces
15 in the manufactured home community or mobile home park
16 multiplied by twenty-two square feet.

17 (c) A storm shelter shall be placed at a maximum distance
18 of one thousand two hundred feet from any mobile or
19 manufactured home.

20 (d) A minimum of one storm shelter per manufactured home
21 community or mobile home park shall be required.

22 (e) The community or park developer or owner shall provide
23 immediate twenty-four-hour access to the storm shelter.

24 (3) The shelter may include a restroom if the shelter is
25 used exclusively as a storm shelter.

26 (4) In lieu of construction of a storm shelter in the
27 manufactured home community or mobile home park, a community
28 or park owner may provide a plan for evacuation of community
29 or park residents if an adequately sized storm shelter located
30 outside of the manufactured home community or mobile home park
31 is within one thousand five hundred feet of the farthest
32 manufactured or mobile home space in the development. The
33 community or park owner shall provide unimpeded and immediate
34 twenty-four-hour access to such a storm shelter.

35 (5) A storm shelter structure may be exempt from taxation

1 as provided in section 427.1, subsection 30.

2 Sec. 2. Section 364.3, subsection 8, paragraph a, Code
3 2003, is amended by striking the paragraph and inserting in
4 lieu thereof the following:

5 a. (1) A city may adopt an ordinance requiring the
6 construction of a storm shelter or shelters at a manufactured
7 home community or mobile home park.

8 (2) Such an ordinance shall require all of the following:

9 (a) The storm shelter shall be constructed in accordance
10 with design and construction guidelines for community shelters
11 promulgated by the federal emergency management agency.

12 (b) The storm shelter shall have adequate space for the
13 maximum residential capacity of the manufactured home
14 community or mobile home park. This capacity shall be based
15 on the number of platted manufactured and mobile home spaces
16 in the manufactured home community or mobile home park
17 multiplied by twenty-two square feet.

18 (c) A storm shelter shall be placed at a maximum distance
19 of one thousand two hundred feet from any mobile or
20 manufactured home.

21 (d) A minimum of one storm shelter per manufactured home
22 community or mobile home park shall be required.

23 (e) The community or park developer or owner shall provide
24 immediate twenty-four-hour access to the storm shelter.

25 (3) The shelter may include a restroom if the shelter is
26 used exclusively as a storm shelter.

27 (4) In lieu of construction of a storm shelter in the
28 manufactured home community or mobile home park, a community
29 or park owner may provide a plan for evacuation of community
30 or park residents if an adequately sized storm shelter located
31 outside the manufactured home community or mobile home park is
32 within one thousand five hundred feet of the farthest
33 manufactured or mobile home space in the development. The
34 community or park owner shall provide unimpeded and immediate
35 twenty-four-hour access to such a storm shelter.

1 (5) A storm shelter structure may be exempt from taxation
2 as provided in section 427.1, subsection 30.

3 Sec. 3. Section 562B.10, subsection 4, Code 2003, is
4 amended to read as follows:

5 4. Rental agreements shall be for a term of one year
6 unless otherwise specified in the rental agreement. Rental
7 agreements shall be canceled by at least sixty days' written
8 notice given by either party. Cancellation under this
9 section, initiated by the landlord, shall be for good cause.
10 "Good cause" means any material noncompliance with this
11 chapter, the lease agreement, or for any legitimate business
12 reason. A-landlord-shall-not-cancel-a-rental-agreement "Good
13 cause" does not include cancellation solely for the purpose of
14 making the tenant's mobile home space available for another
15 mobile home.

16 EXPLANATION

17 This bill relates to mobile homes and manufactured homes.
18 The bill provides that a county or a city may adopt an
19 ordinance requiring the construction of a storm shelter or
20 storm shelters at a manufactured home community or mobile home
21 park. If a storm shelter is constructed, the ordinance
22 adopted or enforced shall require the storm shelter to be
23 constructed in accordance with design and construction
24 guidelines for community shelters promulgated by the federal
25 emergency management agency.
26 The bill also provides that a storm shelter shall have
27 adequate space for the maximum residential capacity in the
28 manufactured home community or the mobile home park, that the
29 storm shelter shall be placed at a maximum distance of 1,200
30 feet from any mobile or manufactured home, that there shall be
31 a minimum of one storm shelter per manufactured home community
32 or mobile home park, that the shelter may include a restroom
33 if the shelter is used exclusively as a storm shelter, that a
34 community or park owner shall not provide an evacuation plan
35 in lieu of construction of a storm shelter in the manufactured

1 home community or mobile home park, unless the closest,
2 adequately sized storm shelter located outside the community
3 or park is within 1,500 feet of the furthest manufactured or
4 mobile home space in the development, and that the
5 manufactured home community or mobile home park developer or
6 owner shall provide 24-hour access to the storm shelter. The
7 bill further provides that a storm shelter structure may be
8 exempt from taxation as provided in Code section 427.1,
9 subsection 30.

10 The bill further provides that a landlord must have good
11 cause before terminating a mobile home space rental agreement.
12 "Good cause" means any material noncompliance with the
13 provisions of Code chapter 562B, the lease agreement, or for
14 any legitimate business reason.

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