

House Study Bill 173

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON VAN ENGELHOVEN)

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, fee,
2 and interest charges imposed for the late payment of building
3 code penalties, fines, and inspection and enforcement fees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2215HC 81
6 eg/sh/8

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1 1 Section 1. Section 364.17, subsection 3, paragraph a, Code
1 2 2005, is amended to read as follows:
1 3 a. A schedule of civil penalties or criminal fines for
1 4 violations. A city may charge the owner of housing, which is
1 5 not occupied by the owner, a late payment fee of twenty=five
1 6 dollars plus interest of up to one and one-half percent per
1 7 month if a penalty or fine imposed under this paragraph is not
1 8 paid within thirty days of the date that the penalty or fine
1 9 is due. Any unpaid penalty, fine, fee, or interest shall
1 10 constitute a lien on the real property and shall be collected
1 11 in the same manner as general taxes.

1 12 Sec. 2. Section 364.17, subsection 5, Code 2005, is
1 13 amended to read as follows:

1 14 5. Cities may establish reasonable fees for inspection and
1 15 enforcement procedures. A city may charge the owner of
1 16 housing, which is not occupied by the owner, a late payment
1 17 penalty of twenty=five dollars plus interest of up to one and
1 18 one-half percent per month if a fee imposed under this
1 19 subsection is not paid within thirty days of the date that the
1 20 fee is due. Any unpaid fee, penalty, or interest shall
1 21 constitute a lien on the real property and shall be collected
1 22 in the same manner as general taxes.

1 23 EXPLANATION

1 24 Under current law civil penalties and criminal fines may be
1 25 imposed for the violation of city housing codes; cities may
1 26 also impose fees for inspection and enforcement procedures.
1 27 This bill allows a city to impose late payment and interest
1 28 charges for nonresident owners for the late payment of these
1 29 penalties, fines, and fees. If these penalties, fines, and
1 30 fees remain unpaid, they shall constitute a lien on the
1 31 property.
1 32 LSB 2215HC 81
1 33 eg:rj/sh/8