

# Senate Study Bill 3174

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL  
BY CHAIRPERSON QUIRMBACH)

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

## A BILL FOR

1 An Act relating to the authority of cities and counties to  
2 require storm shelters in manufactured home communities or  
3 mobile home parks, and providing effective and applicability  
4 dates.

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

6 TLSB 6195SC 82

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1 1 Section 1. Section 331.301, subsection 15, paragraph a,  
1 2 Code 2007, is amended by striking the paragraph and inserting  
1 3 in lieu thereof the following:

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

1 7 (2) Such an ordinance shall require all of the following:

1 8 (a) The storm shelter shall be constructed in accordance  
1 9 with design and construction guidelines for community shelters  
1 10 promulgated by the federal emergency management agency.

1 11 (b) The storm shelter shall have adequate space for the  
1 12 maximum residential capacity of the manufactured home  
1 13 community or mobile home park. This capacity shall be based  
1 14 on the number of platted manufactured and mobile home spaces  
1 15 in the manufactured home community or mobile home park  
1 16 multiplied by a number up to twenty-two square feet.

1 17 (c) A storm shelter shall be placed at a maximum distance  
1 18 of one thousand two hundred feet from any mobile or  
1 19 manufactured home.

1 20 (d) A minimum of one storm shelter per manufactured home  
1 21 community or mobile home park shall be required.

1 22 (e) The community or park developer or owner shall provide  
1 23 immediate twenty-four-hour access to the storm shelter.

1 24 (3) The shelter may include a restroom if the shelter is  
1 25 used exclusively as a storm shelter.

1 26 (4) In lieu of construction of a storm shelter in the  
1 27 manufactured home community or mobile home park, a community  
1 28 or park owner may provide a plan for evacuation of community  
1 29 or park residents if an adequately sized storm shelter located  
1 30 outside of the manufactured home community or mobile home park  
1 31 is within one thousand five hundred feet of the farthest  
1 32 manufactured or mobile home space in the community or park.  
1 33 Each evacuation plan prepared pursuant to this subparagraph  
1 34 shall be filed with, and approved by, the local emergency  
1 35 management agency. The community or park owner shall provide

2 1 unimpeded and immediate twenty-four-hour access to such a  
2 2 storm shelter.

2 3 (5) A storm shelter structure may be exempt from taxation  
2 4 as provided in section 427.1, subsection 30.

2 5 (6) Any ordinance adopted by a county requiring the  
2 6 construction of a storm shelter or shelters at a manufactured  
2 7 home community or mobile home park shall allow the community  
2 8 or park development a minimum of three years to construct a  
2 9 storm shelter, or allow a minimum of one year to develop and  
2 10 file an alternative plan with the local emergency management  
2 11 agency as allowed in subparagraph (4).

2 12 Sec. 2. Section 364.3, subsection 8, paragraph a, Code  
2 13 2007, is amended by striking the paragraph and inserting in  
2 14 lieu thereof the following:

2 15 a. (1) A city may adopt an ordinance requiring the  
2 16 construction of a storm shelter or shelters at a manufactured

2 17 home community or mobile home park.  
2 18 (2) Such an ordinance shall require all of the following:  
2 19 (a) The storm shelter shall be constructed in accordance  
2 20 with design and construction guidelines for community shelters  
2 21 promulgated by the federal emergency management agency.  
2 22 (b) The storm shelter shall have adequate space for the  
2 23 maximum residential capacity of the manufactured home  
2 24 community or mobile home park. This capacity shall be based  
2 25 on the number of platted manufactured and mobile home spaces  
2 26 in the manufactured home community or mobile home park  
2 27 multiplied by a number up to twenty-two square feet.  
2 28 (c) A storm shelter shall be placed at a maximum distance  
2 29 of one thousand two hundred feet from any mobile or  
2 30 manufactured home.  
2 31 (d) A minimum of one storm shelter per manufactured home  
2 32 community or mobile home park shall be required.  
2 33 (e) The community or park developer or owner shall provide  
2 34 immediate twenty-four-hour access to the storm shelter.  
2 35 (3) The shelter may include a restroom if the shelter is  
3 1 used exclusively as a storm shelter.  
3 2 (4) In lieu of construction of a storm shelter in the  
3 3 manufactured home community or mobile home park, a community  
3 4 or park owner may provide a plan for evacuation of community  
3 5 or park residents if an adequately sized storm shelter located  
3 6 outside the manufactured home community or mobile home park is  
3 7 within one thousand five hundred feet of the farthest  
3 8 manufactured or mobile home space in the community or park.  
3 9 Each evacuation plan prepared pursuant to this subparagraph  
3 10 shall be filed with, and approved by, the local emergency  
3 11 management agency. The community or park owner shall provide  
3 12 unimpeded and immediate twenty-four-hour access to such a  
3 13 storm shelter.  
3 14 (5) A storm shelter structure may be exempt from taxation  
3 15 as provided in section 427.1, subsection 30.  
3 16 (6) Any ordinance adopted by a city requiring the  
3 17 construction of a storm shelter or shelters at a manufactured  
3 18 home community or mobile home park shall allow the community  
3 19 or park development a minimum of three years to construct a  
3 20 storm shelter, or allow a minimum of one year to develop and  
3 21 file an alternative plan with the local emergency management  
3 22 agency as allowed in subparagraph (4).  
3 23 Sec. 3. EFFECTIVE AND APPLICABILITY DATES. This Act takes  
3 24 effect and applies to ordinances adopted on or after July 1,  
3 25 2008.

#### 3 26 EXPLANATION

3 27 This bill relates to mobile homes and manufactured homes.  
3 28 The bill provides that a county or a city may adopt an  
3 29 ordinance requiring the construction of a storm shelter or  
3 30 storm shelters at a manufactured home community or mobile home  
3 31 park. If a storm shelter is constructed, the ordinance  
3 32 adopted or enforced shall require the storm shelter to be  
3 33 constructed in accordance with design and construction  
3 34 guidelines for community shelters promulgated by the federal  
3 35 emergency management agency.  
4 1 The bill also provides that a storm shelter shall have  
4 2 adequate space for the maximum residential capacity in the  
4 3 manufactured home community or the mobile home park, that the  
4 4 storm shelter shall be placed at a maximum distance of 1,200  
4 5 feet from any mobile or manufactured home, that there shall be  
4 6 a minimum of one storm shelter per manufactured home community  
4 7 or mobile home park, that the shelter may include a restroom  
4 8 if the shelter is used exclusively as a storm shelter, that a  
4 9 community or park owner shall not provide an evacuation plan  
4 10 in lieu of construction of a storm shelter in the manufactured  
4 11 home community or mobile home park, unless the closest,  
4 12 adequately sized storm shelter located outside the community  
4 13 or park is within 1,500 feet of the farthest manufactured or  
4 14 mobile home space in the development, and that the  
4 15 manufactured home community or mobile home park developer or  
4 16 owner shall provide 24-hour access to the storm shelter.  
4 17 Evacuation plans shall be filed with and approved by the local  
4 18 emergency management agency.  
4 19 The bill provides that an ordinance adopted by a city or  
4 20 county shall allow a manufactured home community or mobile  
4 21 home park a minimum of three years to construct a storm  
4 22 shelter or allow one year to develop an alternative plan  
4 23 subject to approval by the local emergency management agency.  
4 24 The bill further provides that a storm shelter structure  
4 25 may be exempt from taxation as provided in Code section 427.1,  
4 26 subsection 30.  
4 27 The bill takes effect and applies to ordinances adopted on

4 28 or after July 1, 2008.  
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