

Senate Study Bill 1057

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to open burning of residential waste in certain
2 areas of the state and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1245DP 83
5 tm/nh/14

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1 1 Section 1. Section 455B.133, Code 2009, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 11. a. Adopt rules to prohibit the open
1 4 burning of residential waste within any of the following
1 5 areas:
1 6 (1) Beginning January 1, 2010, any city with a population
1 7 of two thousand five hundred or more and any area within one
1 8 quarter mile of any city with a population of two thousand
1 9 five hundred or more.
1 10 (2) Beginning January 1, 2011, any city with a population
1 11 of one thousand or more and any area within one quarter mile
1 12 of any city with a population of one thousand or more.
1 13 (3) Beginning January 1, 2012, any city with a population
1 14 of five hundred or more and any area within one quarter mile
1 15 of any city with a population of five hundred or more.
1 16 (4) Beginning January 1, 2013, any city in the state and
1 17 any area within one quarter mile of any city in the state.
1 18 b. The population of a city as described in this
1 19 subsection shall be based on the most recent federal decennial
1 20 census.

EXPLANATION

1 21 This bill relates to open burning of residential waste in
1 22 certain areas of the state.
1 23 The bill requires the environmental protection commission
1 24 to adopt administrative rules prohibiting the open burning of
1 25 residential waste in cities and in areas within one quarter
1 26 mile of cities. The prohibition begins on January 1, 2010, in
1 27 cities with a population of 2,500 or more; on January 1, 2011,
1 28 in cities with a population of 1,000 or more; on January 1,
1 29 2012, in cities with a population of 500 or more; and on
1 30 January 1, 2013, in all cities in the state.
1 31 Criminal penalties provided in Code section 455B.146A are
1 32 applicable to violations of the provisions of the bill.
1 33 LSB 1245DP 83
1 34 tm/nh/14
1 35