

Senate File 23 - Introduced

SENATE FILE 23
BY BOLKCOM

A BILL FOR

1 An Act removing the exemption for farm houses from county
2 building codes and county zoning regulations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.304, subsection 3, paragraph b, Code
2 2013, is amended to read as follows:

3 b. A county building code shall not apply to ~~farm houses~~
4 ~~or other~~ farm buildings which, except dwellings, that are
5 primarily adapted for use for agricultural purposes, while so
6 used or under construction for that use.

7 Sec. 2. Section 335.2, Code 2013, is amended to read as
8 follows:

9 **335.2 Farms exempt.**

10 Except to the extent required to implement section 335.27,
11 ~~no~~ an ordinance adopted under this chapter applies shall not
12 apply to land, ~~farm houses,~~ farm barns, farm outbuildings or
13 other buildings or structures which, except dwellings, that are
14 primarily adapted, by reason of nature and area, for use for
15 agricultural purposes, while so used. However, the ordinances
16 may apply to any structure, building, dam, obstruction,
17 deposit, or excavation in or on the flood plains of any river
18 or stream.

19 EXPLANATION

20 Current law provides for farm house exemptions from county
21 building codes and county zoning regulations. The bill removes
22 these exemptions for farm houses while maintaining similar
23 exemptions for other agricultural structures.

24 Pursuant to Code section 414.23, the changes in the bill to
25 the county zoning exemption for farm houses apply to a city
26 extending city zoning regulations to the unincorporated area
27 of a county up to two miles beyond the limits of such city, as
28 authorized by statute.