

Senate Study Bill 3082 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GARRETT)

A BILL FOR

1 An Act relating to the collection of costs incurred by a
2 county for the abatement or correction of a county zoning
3 violation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.307, subsection 9, paragraph a,
2 subparagraph (5), Code 2018, is amended to read as follows:

3 (5) Order that the county's costs for abatement or
4 correction of the violation be ~~entered as a personal judgment~~
5 ~~against the defendant or~~ assessed against the property where
6 ~~the violation occurred, or both~~ for collection in the same
7 manner as a property tax.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 Under current law, when a person violates a county zoning
12 ordinance and the county incurs costs to abate or correct the
13 violation, a court may order that the costs be entered as a
14 personal judgment against the defendant, assessed against the
15 property where the violation occurred, or both. The bill
16 allows a court to order the costs be assessed against the
17 property for collection in the same manner as a property tax.
18 The bill does not allow a court to enter the costs as a personal
19 judgment against the defendant.