

House File 2477 - Introduced

HOUSE FILE 2477

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EHLERT

A BILL FOR

1 An Act relating to a city's or county's duty to enforce orders
2 to vacate, and providing remedies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 10A.514, Code 2024, is amended to read
2 as follows:

3 **10A.514 Authority for inspection — orders.**

4 1. The chief of a fire department or an authorized
5 subordinate who is trained in fire prevention safety standards
6 may enter a building or premises at a reasonable hour to
7 examine the building or premises and its contents. The
8 examining official shall order the correction of a condition
9 ~~which that~~ is in violation of **this chapter**, a rule adopted
10 under **this chapter**, or a city or county fire safety ordinance.
11 The order shall be in writing or, if the danger is imminent,
12 orally followed by a written order. The examining official
13 shall enforce the order in accordance with the applicable law
14 or ordinance. At the request of the examining official the
15 director may assist in an enforcement action.

16 2. An order to vacate a structure due to health or safety
17 violations shall be enforced by the city or county having
18 jurisdiction over the structure within thirty days of the
19 written and oral order. The city or county shall assist in the
20 relocation of all persons displaced by the order to vacate.

21 3. An owner or tenant of a structure aggrieved by an
22 unenforced order to vacate the structure may bring an action
23 for civil damages against the city or county for failing to
24 enforce the order to vacate the structure.

25 **EXPLANATION**

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

28 This bill requires cities and counties to enforce an order
29 to vacate an unsafe structure issued by the chief of a fire
30 department or an authorized subordinate who is trained in fire
31 prevention. An order to vacate a structure for health or
32 safety concerns shall be enforced by the city or county within
33 30 days of the written and oral order. The city or county
34 shall assist all displaced persons in relocating to a different
35 structure. An aggrieved owner or tenant affected by a city's

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1 or county's failure to enforce an order to vacate a structure
2 may bring action for civil damages against the city or county.