

House File 2359 - Introduced

HOUSE FILE 2359
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 192)

A BILL FOR

1 An Act relating to the responsibility and liability of property
2 owners for public places in cities and including effective
3 date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 364.12, subsection 2, paragraph c, Code
2 2025, is amended to read as follows:

3 c. The abutting property owner may be required by ordinance
4 to maintain all property outside the lot and property lines and
5 inside the curb lines upon the public streets, except that the
6 property owner shall not be required to remove diseased trees
7 or dead wood on the publicly owned property or right-of-way.
8 The abutting property owner may be liable for damages caused by
9 the failure to use reasonable care in maintaining such property
10 if required by ordinance.

11 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
12 importance, takes effect upon enactment.

13 EXPLANATION

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

16 This bill relates to the responsibility and liability of an
17 abutting property owner for public places in a city such as
18 sidewalks. Under current law, an abutting property owner may
19 be required by a city ordinance to maintain public sidewalks
20 or other property between the property line and the curb line.
21 The bill adds that an abutting property owner may be liable if
22 the property owner fails to use reasonable care in maintaining
23 sidewalks or other property between the property line and the
24 curb line if required by a city ordinance. The bill takes
25 effect upon enactment.