

**Senate File 2146 - Reprinted**

SENATE FILE 2146  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1118)

(As Amended and Passed by the Senate March 2, 2026)

**A BILL FOR**

1 An Act relating to the responsibility and liability of property  
2 owners for public places in cities, prohibiting fines,  
3 and including effective date and retroactive applicability  
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 364.12, subsection 2, paragraphs b, c, and  
2 e, Code 2026, are amended to read as follows:

3 b. The abutting property owner is responsible for the removal  
4 of the natural accumulations of snow and ice from the sidewalks  
5 within a reasonable amount of time and may be liable for  
6 damages caused by the failure of the abutting property owner  
7 to use reasonable care in the removal of the snow or ice.  
8 If damages are to be awarded under this section against the  
9 abutting property owner, the claimant has the burden of proving  
10 the amount of the damages. To authorize recovery of more than  
11 a nominal amount, facts must exist and be shown by the evidence  
12 which that afford a reasonable basis for measuring the amount of  
13 the claimant's actual damages, and the amount of actual damages  
14 shall not be determined by speculation, conjecture, or surmise.  
15 All legal or equitable defenses are available to the abutting  
16 property owner in an action brought pursuant to this paragraph.  
17 The city's general duty under this subsection does not include  
18 a duty to remove natural accumulations of snow or ice from the  
19 sidewalks. However, when the city is the abutting property  
20 owner it has the specific duty of the abutting property owner  
21 set forth in this paragraph. A city shall not assess a fine  
22 against an abutting property owner for failure to comply with  
23 this paragraph.

24 c. The abutting property owner may be required by ordinance  
25 to maintain all property outside the lot and property lines and  
26 inside the curb lines upon the public streets, except that the  
27 property owner shall not be required to remove diseased trees  
28 or dead wood on the publicly owned property or right-of-way.  
29 The abutting property owner may be liable for damages caused by  
30 the failure to use reasonable care in maintaining such property  
31 if required by ordinance. A city shall not assess a fine  
32 against an abutting property owner for failure to comply with  
33 this paragraph.

34 e. If the abutting property owner does not perform an action  
35 required under this subsection within a reasonable time, a city

1 may perform the required action and assess the material costs,  
2 direct labor costs, and an administrative fee not to exceed  
3 twenty dollars against the abutting property owner for collection  
4 in the same manner as a property tax. A city shall not assess  
5 a fine against an abutting property owner for failure to comply  
6 with paragraph "b" or "c". A city shall not assess costs or fees  
7 under this paragraph unless the city has provided the abutting  
8 property owner with notice of the violation and an opportunity to  
9 appeal or demonstrate hardship pursuant to a process established  
10 by ordinance. This ~~power~~ paragraph does not relieve the abutting  
11 property owner of liability imposed under paragraph "b" or "c".

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

14 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies  
15 retroactively to June 13, 2024.

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