

CHAPTER 88
BOARDS OF ADJUSTMENT IN CITIES

H. F. 174

AN ACT relating to the membership of the boards of adjustment of cities.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section four hundred fourteen point eight (414.8), Code 1979, is amended to read as follows:

414.8 MEMBERSHIP. The board of adjustment shall consist of five or seven members ~~each~~ as determined by the council. Members of a five-member board shall be appointed for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Members of a seven-member board shall be appointed for a term of five years, except when the board shall first be created two members shall be appointed for a term of five years, two members for a term of four years, one for a term of three years, one for a term of two years, and one for a one-year term. A five-member board shall not carry out its business without having three members present and a seven-member board shall not carry out its business without having four members present. A majority of the members of the board of adjustment shall be persons representing the public at large and shall not be involved in the business of purchasing or selling real estate. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Sec. 2. Section four hundred fourteen point fourteen (414.14), Code 1979, is amended to read as follows:

414.14 VOTE REQUIRED. The concurring vote of three members of the board in the case of a five-member board, and four members in the case of a seven-member board, shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

Sec. 3. NEW SECTION. TRANSITIONAL PROVISIONS. Of the two additional members which may be appointed to increase a five-member board of adjustment to a seven-member board after the effective date of this Act, one member shall be appointed to an initial term of five years and one member shall be appointed to an initial term of four years. The terms of office of members

of a board of adjustment serving unexpired terms of office on the effective date of this Act, shall expire according to their original appointments.

Sec. 4. This Act is effective January first following its enactment.

Approved June 6, 1979

CHAPTER 89
REVENUE BONDS FOR REGENTS INSTITUTIONS

S. F. 448

AN ACT authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of financing projects for the use of a state of Iowa institution under the board of regents.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section four hundred nineteen point one (419.1), subsection two (2), Code 1979, is amended to read as follows:

2. "Project" means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of issuance of the bonds issued under authority of this chapter, which shall be suitable for the use of any voluntary nonprofit hospital, clinic or health care facility as defined in section 135C.1, subsection 4, or of any private college or university, or any state institution governed under chapter two hundred sixty-two (262) of the Code, whether for the establishment or maintenance of such college or university, or of any industry or industries for the manufacturing, processing or assembling of any agricultural or manufactured products, even though such processed products may require further treatment before delivery to the ultimate consumer, or of any commercial enterprise engaged in storing, warehousing or distributing products of agriculture, mining or industry including but not limited to barge facilities and river-front improvements useful and convenient for the handling and storage of goods and products or (b) pollution control facilities which shall be suitable for use by any industry, commercial enterprise or utility. "Pollution control facilities" means any land, buildings, structures, equipment, pipes, pumps, dams, reservoirs, improvements, or other facilities useful for the purpose of reducing, preventing, or eliminating pollution of the water or air by reason of the operations of any industry, commercial enterprise or utility. "Improve", "improving" and "improvements" shall embrace any real property, personal property or mixed property of any and every kind that can be used or that will be useful in connection with a project, including, without limiting the generality of the foregoing, rights of way, roads, streets, sidings, trackage, foundations, tanks, structures, pipes, pipelines, reservoirs,