

rate of the finance charge or other charge or an increase in the amount of a periodic payment due, or which otherwise adversely affects the interests of the consumer with respect to such the balance. The use by the consumer of an open-end account after the effective date of the change constitutes the agreement of the consumer if the consumer is notified as provided in subsection 1 that the use will constitute the agreement of the consumer.

Approved May 8, 1984

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**CHAPTER 1238**  
**ZONING OF MANUFACTURED HOUSING**  
*S.F. 2228*

**AN ACT** prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home.

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

Section 1. Chapter 358A, Code 1983, is amended by adding the following new section:

**NEW SECTION. MANUFACTURED HOME.** A county shall not adopt or enforce zoning regulations or other ordinances which disallow the plans and specifications of a proposed residential structure solely because the proposed structure is a manufactured home. However, a zoning ordinance or regulation shall require that a manufactured home be located and installed according to the same standards, including but not limited to, a foundation system, set-back, and minimum square footage which would apply to a site-built, single family dwelling on the same lot. As used in this section, "manufactured home" means a factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C. sec. 5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home as defined in section 135D.1 is not a manufactured home, unless it has been converted to real property as provided in section 135D.26, and shall be taxed as a site-built dwelling. This section shall not be construed as abrogating a recorded restrictive covenant.

Sec. 2. Chapter 414, Code 1983, is amended by adding the following new section:

**NEW SECTION. MANUFACTURED HOME.** A city shall not adopt or enforce zoning regulations or other ordinances which disallow the plans and specifications of a proposed residential structure solely because the proposed structure is a manufactured home. However, a zoning ordinance or regulation shall require that a manufactured home be located and installed according to the same standards, including but not limited to, a foundation system, set-back, and minimum square footage which would apply to a site-built, single

family dwelling on the same lot. As used in this section, "manufactured home" means a factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C. sec. 5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home as defined in section 135D.1 is not a manufactured home, unless it has been converted to real property as provided in section 135D.26, and shall be taxed as a site-built dwelling. This section shall not be construed as abrogating a recorded restrictive covenant.

Approved May 9, 1984

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**CHAPTER 1239**  
**COLLECTION OF COURT ORDERED PAYMENTS**  
*S.F. 2268*

**AN ACT** relating to collection of court ordered payments by providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty, and providing for the collection of unpaid alimony, and providing for limits to garnishment, and providing for the validity of garnishment notices.

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

Section 1. NEW SECTION. 252C.1 DELINQUENT SUPPORT PAYMENTS—ASSIGNMENT OF INCOME.

1. All orders of support shall direct the payment of the support to the clerk of the district court pursuant to section 598.22.

2. If support payments ordered under section 598.21 or 675.25 are not paid to the clerk of the district court pursuant to section 598.22 and become delinquent in an amount equal to the payment for one month, the clerk or the child support recovery unit established under section 252B.2 may certify a default to the court. The court shall order the defaulting person to assign to the clerk that portion of the person's periodic earnings, trust income, or other income sufficient to pay the support obligation. The assignment of income is binding on an existing or future employer, trustee, or other payor ten days after the receipt of the order by certified mail. The amount of an assignment of income shall not exceed the amount specified in 15 U.S.C. sec. 1673b. The assignment of income has priority over a garnishment or an assignment for a purpose other than the support of the dependents in the court order being enforced. The court may modify or revoke the order upon the request of the child support recovery unit and may modify or revoke the order at any other time.

3. A person entitled by court order to receive support payments or a person responsible for enforcing such a court order may petition the court for an assignment of income. If the petition is verified and establishes that support payments are delinquent in an amount equal to the payment for one month and if the court determines, after providing an opportunity for a hearing, that notice of the mandatory assignment of income as provided in section 252C.3 has