

CHAPTER 214

URBAN RENEWAL AND URBAN REVITALIZATION AUTHORITY TO COUNTIES

H.F. 704

AN ACT granting urban renewal and urban revitalization authority to counties.

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

Section 1. Section 403.15, subsections 2 and 5, Code 1991, are amended to read as follows:

2. If the urban renewal agency is authorized to transact business and exercise powers ~~hereunder pursuant to the chapter~~, the mayor or chairperson of the board, as applicable, by and with the advice and consent of the local governing body, shall appoint a board of commissioners of the urban renewal agency, which board shall consist of five commissioners. The term of office of each such commissioner shall be one year.

5. The mayor or chairperson of the board, as applicable, shall designate a chairperson and vice chairperson from among the commissioners. An agency may employ an executive director, technical experts and such other agents and employees, permanent and temporary, as it may require, and the agency may determine their qualifications, duties and compensation. For such legal service as it may require, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this chapter shall file, with the local governing body, on or before September 30 of each year, a report of its activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income and operating expense as of the end of such fiscal year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the ~~community~~ city or county, as applicable, a notice to the effect that such report has been filed with the municipality, and that the report is available for inspection during business hours in the office of the city clerk or county auditor, as applicable, and in the office of the agency.

Sec. 2. Section 403.17, subsections 2, 4, and 17, Code 1991, are amended to read as follows:

2. "Municipality" ~~shall mean~~ means any city or county in the state.

4. "Local governing body" ~~shall mean~~ means the council, board of supervisors, or other legislative body charged with governing the municipality.

17. "Area of operation" ~~shall mean of a city means~~ the area within the corporate limits of the municipality and the area within ~~five~~ two miles of such limits, except that it ~~shall does~~ not include any area which lies within the territorial boundaries of another incorporated city, unless a resolution ~~shall have~~ has been adopted by the governing body of ~~such other~~ the city declaring a need ~~therefor to be included in the area~~. The "area of operation" of a county means an area outside the corporate limits of a city. However, in that area outside a city's boundary but within two miles of the city's boundary, a joint agreement between the city and the county is required allowing the county to proceed with the activities authorized under this chapter. In addition, a county may proceed with activities authorized under this chapter in an area inside the boundaries of a city, provided a joint agreement is entered into with respect to such activities between a city and a county.

Sec. 3. Section 403.17, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 21. "Chairperson of the board" means the chairperson of the board of supervisors or other legislative body charged with governing a county.

Sec. 4. Section 403.19, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 7. For the purposes of this section, a county shall include taxes levied on industrial property within an urban renewal area only.

Sec. 5. Section 404.2, subsection 2, paragraph f, Code 1991, is amended to read as follows:

f. A statement specifying whether the revitalization is applicable to none, some, or all of the property assessed as residential, agricultural, commercial or industrial property within

the designated area or a combination thereof and whether the revitalization is for rehabilitation and additions to existing buildings or new construction or both. If revitalization is made applicable only to some property within an assessment classification, the definition of that subset of eligible property must be by uniform criteria which further some planning objective identified in the plan. The city shall state how long it is estimated that the area shall remain a designated revitalization area which time shall be longer than one year from the date of designation and shall state any plan by the city to issue revenue bonds for revitalization projects within the area. For a county, a revitalization area shall include only property which will be used as industrial property only.

Sec. 6. Section 404.1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The governing body of a city may, by ordinance, designate an area of the city or the governing body of a county may, by ordinance, designate an area of the county outside the boundaries of a city, as a revitalization area, if that area is any of the following:

Sec. 7. Section 404.1, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. An area which is appropriate as an economic development area as defined in section 403.17.

Sec. 8. Section 404.2, subsection 1, Code 1991, is amended to read as follows:

1. The governing body has adopted a resolution finding that the rehabilitation, conservation, redevelopment, economic development, or a combination thereof of the area is necessary in the interest of the public health, safety, or welfare of the residents of the city, or county as applicable, and the area substantially meets the criteria of section 404.1.

Sec. 9. Section 404.2, subsection 2, paragraph h, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In the case of a county, the tax schedules used shall only be applicable to property of the type for which the revitalization area is zoned for at the time the county designates the area a revitalization area.

Sec. 10. Section 404.2, subsections 3 and 6, Code 1991, are amended to read as follows:

3. The city or county has scheduled a public hearing and notified all owners of record of real property located within the proposed area and the tenants living within the proposed area in accordance with section 362.3 or 331.305, as applicable. In addition to notice by publication, notification shall also be given by ordinary mail to the last known address of the owners of record. The city or county shall also send notice by ordinary mail addressed to the "occupants" of ~~city~~ addresses located within the proposed area, unless the city council or board of supervisors, by reason of lack of a reasonably current and complete address list, or for other good cause, shall have waived the notice. Notwithstanding section 362.3 or 331.305, as applicable, the notice shall be given by the thirtieth day prior to the public hearing.

6. The city or county has adopted the proposed or amended plan for the revitalization area after the requisite number of hearings. The city or county may subsequently amend this plan after a hearing. Notice of the hearing shall be published as provided in section 362.3 or 331.305, except that at least seven days' notice must be given and the public hearing shall not be held earlier than the next regularly scheduled city council or board of supervisors meeting following the published notice.

Sec. 11. Except as otherwise provided in this Act, sections 404.2 through 404.7, Code 1991, are amended by striking the word "city" and* where it appears in those sections and inserting in lieu thereof the words "city or county".

Approved May 28, 1991

*According to enrolled Act