

MAR 2 2001
LOCAL GOVERNMENT

HOUSE FILE 471
BY BRADLEY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the review of subdivision plats by a local
2 board of health or a county sanitarian.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 471

1 Section 1. Section 354.8, Code 2001, is amended to read as
2 follows:

3 354.8 REVIEW AND APPROVAL BY GOVERNING BODIES.

4 1. Prior to approval of a subdivision plat by a governing
5 body pursuant to subsection 2, all preliminary and final
6 subdivision plats for a subdivision that is to be served by a
7 private on-site wastewater treatment and disposal system or a
8 community wastewater treatment and disposal system that only
9 serves the subdivision shall be reviewed and approved by the
10 local board of health or the county sanitarian. Any lot in
11 the subdivision that is to be served by a private on-site
12 wastewater treatment and disposal system shall be of adequate
13 size to accommodate a future expansion of the system or a
14 replacement system in the event of a system failure.

15 2. A proposed subdivision plat lying within the
16 jurisdiction of a governing body shall be submitted to that
17 governing body for review and approval prior to recording. A
18 city may establish jurisdiction to review subdivisions outside
19 its boundaries pursuant to the provisions of section 354.9.
20 Governing bodies shall apply reasonable standards and
21 conditions in accordance with applicable statutes and
22 ordinances for the review and approval of subdivisions. The
23 governing body, within sixty days of application for final
24 approval of the subdivision plat, shall determine whether the
25 subdivision conforms to its comprehensive plan and shall give
26 consideration to the possible burden on public improvements
27 and to a balance of interests between the proprietor, future
28 purchasers, and the public interest in the subdivision when
29 reviewing the proposed subdivision and when requiring the
30 installation of public improvements in conjunction with
31 approval of a subdivision. The governing body shall not issue
32 final approval of a subdivision plat unless the subdivision
33 plat conforms to sections 354.6, 354.11, and 355.8.

34 If the subdivision plat and all matters related to final
35 approval of the subdivision plat conform to the standards and

1 conditions established by the governing body, and conform to
2 this chapter and chapter 355, the governing body, by
3 resolution, shall approve the plat and certify the resolution
4 which shall be recorded with the plat. The recorder shall
5 refuse to accept a subdivision plat presented for recording
6 without a resolution from each applicable governing body
7 approving the subdivision plat or waiving the right to review.

8 EXPLANATION

9 This bill relates to the review of subdivision plats by a
10 local board of health or a county sanitarian.

11 The bill provides that prior to approval of a subdivision
12 plat by a governing body, all preliminary and final
13 subdivision plats for a subdivision that is to be served by a
14 private on-site wastewater treatment and disposal system or a
15 community wastewater treatment and disposal system that only
16 serves the subdivision shall be reviewed and approved by the
17 local board of health or the county sanitarian. The bill
18 provides that any lot in the subdivision that is to be served
19 by a private on-site wastewater treatment and disposal system
20 shall be of adequate size to accommodate a future expansion of
21 the system or a replacement system in the event of a system
22 failure.

23
24
25
26
27
28
29
30
31
32
33
34
35