

JAN 31 2005  
LOCAL GOVERNMENT

HOUSE FILE 158  
BY HOGG

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the authority of cities and counties to  
2 require storm shelters in manufactured home communities or  
3 mobile home parks, and providing effective and applicability  
4 dates.

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

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HF 158

1 Section 1. Section 331.301, subsection 15, paragraph a,  
2 Code 2005, is amended by striking the paragraph and inserting  
3 in lieu thereof the following:

4 a. (1) A county may adopt an ordinance requiring the  
5 construction of a storm shelter or shelters at a manufactured  
6 home community or mobile home park.

7 (2) Such an ordinance shall require all of the following:

8 (a) The storm shelter shall be constructed in accordance  
9 with design and construction guidelines for community shelters  
10 promulgated by the federal emergency management agency.

11 (b) The storm shelter shall have adequate space for the  
12 maximum residential capacity of the manufactured home  
13 community or mobile home park. This capacity shall be based  
14 on the number of platted manufactured and mobile home spaces  
15 in the manufactured home community or mobile home park  
16 multiplied by a number up to twenty-two square feet.

17 (c) A storm shelter shall be placed at a maximum distance  
18 of one thousand two hundred feet from any mobile or  
19 manufactured home.

20 (d) A minimum of one storm shelter per manufactured home  
21 community or mobile home park shall be required.

22 (e) The community or park developer or owner shall provide  
23 immediate twenty-four-hour access to the storm shelter.

24 (3) The shelter may include a restroom if the shelter is  
25 used exclusively as a storm shelter.

26 (4) In lieu of construction of a storm shelter in the  
27 manufactured home community or mobile home park, a community  
28 or park owner may provide a plan for evacuation of community  
29 or park residents if an adequately sized storm shelter located  
30 outside of the manufactured home community or mobile home park  
31 is within one thousand five hundred feet of the farthest  
32 manufactured or mobile home space in the development. Each  
33 evacuation plan prepared pursuant to this subparagraph shall  
34 be filed with, and approved by, the local emergency management  
35 agency. The community or park owner shall provide unimpeded

1 and immediate twenty-four-hour access to such a storm shelter.

2 (5) A storm shelter structure may be exempt from taxation  
3 as provided in section 427.1, subsection 30.

4 Sec. 2. Section 364.3, subsection 8, paragraph a, Code  
5 2005, is amended by striking the paragraph and inserting in  
6 lieu thereof the following:

7 a. (1) A city may adopt an ordinance requiring the  
8 construction of a storm shelter or shelters at a manufactured  
9 home community or mobile home park.

10 (2) Such an ordinance shall require all of the following:

11 (a) The storm shelter shall be constructed in accordance  
12 with design and construction guidelines for community shelters  
13 promulgated by the federal emergency management agency.

14 (b) The storm shelter shall have adequate space for the  
15 maximum residential capacity of the manufactured home  
16 community or mobile home park. This capacity shall be based  
17 on the number of platted manufactured and mobile home spaces  
18 in the manufactured home community or mobile home park  
19 multiplied by a number up to twenty-two square feet.

20 (c) A storm shelter shall be placed at a maximum distance  
21 of one thousand two hundred feet from any mobile or  
22 manufactured home.

23 (d) A minimum of one storm shelter per manufactured home  
24 community or mobile home park shall be required.

25 (e) The community or park developer or owner shall provide  
26 immediate twenty-four-hour access to the storm shelter.

27 (3) The shelter may include a restroom if the shelter is  
28 used exclusively as a storm shelter.

29 (4) In lieu of construction of a storm shelter in the  
30 manufactured home community or mobile home park, a community  
31 or park owner may provide a plan for evacuation of community  
32 or park residents if an adequately sized storm shelter located  
33 outside the manufactured home community or mobile home park is  
34 within one thousand five hundred feet of the farthest  
35 manufactured or mobile home space in the development. Each

1 evacuation plan prepared pursuant to this subparagraph shall  
2 be filed with, and approved by, the local emergency management  
3 agency. The community or park owner shall provide unimpeded  
4 and immediate twenty-four-hour access to such a storm shelter.

5 (5) A storm shelter structure may be exempt from taxation  
6 as provided in section 427.1, subsection 30.

7 Sec. 3. EFFECTIVE AND APPLICABILITY DATES. This Act takes  
8 effect and applies to ordinances adopted on or after July 1,  
9 2006.

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EXPLANATION

11 This bill relates to mobile homes and manufactured homes.

12 The bill provides that a county or a city may adopt an  
13 ordinance requiring the construction of a storm shelter or  
14 storm shelters at a manufactured home community or mobile home  
15 park. If a storm shelter is constructed, the ordinance  
16 adopted or enforced shall require the storm shelter to be  
17 constructed in accordance with design and construction  
18 guidelines for community shelters promulgated by the federal  
19 emergency management agency.

20 The bill also provides that a storm shelter shall have  
21 adequate space for the maximum residential capacity in the  
22 manufactured home community or the mobile home park, that the  
23 storm shelter shall be placed at a maximum distance of 1,200  
24 feet from any mobile or manufactured home, that there shall be  
25 a minimum of one storm shelter per manufactured home community  
26 or mobile home park, that the shelter may include a restroom  
27 if the shelter is used exclusively as a storm shelter, that a  
28 community or park owner shall not provide an evacuation plan  
29 in lieu of construction of a storm shelter in the manufactured  
30 home community or mobile home park, unless the closest,  
31 adequately sized storm shelter located outside the community  
32 or park is within 1,500 feet of the furthest manufactured or  
33 mobile home space in the development, and that the  
34 manufactured home community or mobile home park developer or  
35 owner shall provide 24-hour access to the storm shelter.

1 Evacuation plans shall be filed with and approved by the local  
2 emergency management agency. The bill further provides that a  
3 storm shelter structure may be exempt from taxation as  
4 provided in Code section 427.1, subsection 30.

5 The bill takes effect and applies to ordinances adopted on  
6 or after July 1, 2006.

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