

FEB 16 2005  
LOCAL GOVERNMENT

HOUSE FILE 327  
BY SHOULTZ and BERRY

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

**A BILL FOR**

1 An Act relating to foundation requirements for certain  
2 manufactured homes and providing an effective date.  
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

HF 327

1 Section 1. Section 414.28, Code 2005, is amended to read  
2 as follows:

3 414.28 MANUFACTURED HOME.

4 A city shall not adopt or enforce zoning regulations or  
5 other ordinances which disallow the plans and specifications  
6 of a proposed residential structure solely because the  
7 proposed structure is a manufactured home. However, a zoning  
8 ordinance or regulation shall require that a manufactured home  
9 be located and installed according to the same standards,  
10 including but not limited to, a permanent foundation system,  
11 set-back, and minimum square footage which would apply to a  
12 site-built, single family dwelling on the same lot, and shall  
13 require that the home is assessed and taxed as a site-built  
14 dwelling. A zoning ordinance or other regulation shall not  
15 require a perimeter foundation system for a manufactured home  
16 which is incompatible with the structural design of the  
17 manufactured home structure. A city shall not require more  
18 than one permanent foundation system for a manufactured home.  
19 For purposes of this section, a permanent foundation may be a  
20 pier footing foundation system designed and constructed to be  
21 compatible with the structure and the conditions of the site.  
22 When units are located outside a manufactured home community  
23 or mobile home park, requirements may be imposed which ensure  
24 visual compatibility of the permanent foundation system with  
25 surrounding residential structures, including requiring a  
26 permanent foundation system other than a pier footing  
27 foundation system if such required permanent foundation system  
28 is compatible with the structure and the conditions of the  
29 site. As used in this section, "manufactured home" means a  
30 factory-built structure, which is manufactured or constructed  
31 under the authority of 42 U.S.C. § 5403 and is to be used as a  
32 place for human habitation, but which is not constructed or  
33 equipped with a permanent hitch or other device allowing it to  
34 be moved other than for the purpose of moving to a permanent  
35 site, and which does not have permanently attached to its body

1 or frame any wheels or axles. This section shall not be  
2 construed as abrogating a recorded restrictive covenant.

3 A city shall not adopt or enforce construction, building,  
4 or design ordinances, regulations, requirements, or  
5 restrictions which would mandate width standards greater than  
6 twenty-four feet, roof pitch, or other design standards for  
7 manufactured housing if the housing otherwise complies with 42  
8 U.S.C. § 5403, unless such ordinances, regulations,  
9 requirements, or restrictions are authorized under this  
10 section. However, this paragraph shall not prohibit a city  
11 from adopting and enforcing zoning regulations related to  
12 transportation, water, sewerage, or other land development.

13 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
14 immediate importance, takes effect upon enactment.

15 EXPLANATION

16 This bill provides that a city may require that a  
17 manufactured home located outside of a manufactured home  
18 community have a permanent foundation system other than a pier  
19 footing foundation system to ensure visual compatibility with  
20 surrounding residential structures if the other type of  
21 permanent foundation system is compatible with the structure  
22 and the conditions of the site.

23 The bill takes effect upon enactment.

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