

LOCAL GOVERNMENT

SENATE FILE 183
BY HOUSER

Passed Senate, Date _____ Passed House, 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:

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SF 183
LOCAL GOVERNMENT

1 Section 1. Section 354.8, Code 2005, 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 this section, all preliminary or proposed
6 subdivision plats that are to be served, in part or entirely,
7 by an on-site wastewater treatment and disposal system that
8 serves the proposed subdivision shall have been reviewed and
9 approved by the local board of health, the county sanitarian,
10 or the entity delegated authority by the department of natural
11 resources over nonpublic water wells and supplies and on-site
12 wastewater treatment systems.

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

30 If the subdivision plat and all matters related to final
31 approval of the subdivision plat conform to the standards and
32 conditions established by the governing body, and conform to
33 this chapter and chapter 355, the governing body, by
34 resolution, shall approve the plat and certify the resolution
35 which shall be recorded with the plat. The recorder shall

1 refuse to accept a subdivision plat presented for recording
2 without a resolution from each applicable governing body
3 approving the subdivision plat or waiving the right to review.
4 A city may establish jurisdiction to review subdivisions or
5 plats of survey outside its boundaries pursuant to the
6 provisions of section 354.9. In the case of a city, the
7 provisions of this section apply to the review by the city of
8 both subdivision plats and plats of survey.

9 EXPLANATION

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

12 The bill provides that prior to approval of a subdivision
13 plat by a governing body, all preliminary or proposed
14 subdivision plats that are to be served, in part or entirely,
15 by an on-site wastewater treatment and disposal system that
16 serves the proposed subdivision shall have been reviewed and
17 approved by the local board of health, the county sanitarian,
18 or the entity delegated authority by the department of natural
19 resources over nonpublic water wells and supplies and on-site
20 wastewater treatment systems.

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