

CHAPTER 5.

RELATIVE TO CONTRACTS BY CITIES OF THE FIRST CLASS.

H. F. 517.

AN ACT To Repeal Sections 2, 3, 5, 6, 10, 11, and 12 of Chapter 168, Acts of the Twenty-first General Assembly and enacting a substitute therefor relative to making contracts by Cities of the first class containing a population of over thirty thousand for Paving and Curbing streets and Construction of Sewers and the making and Collection of Assessments and issuance of Bonds or Certificates to pay for the same.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Board of public works to make contracts for materials.

Sec. 2. When the council of any such city shall direct the paving, curbing or sewerage of any street or streets the board of public works of such city shall make and enter into contracts for furnishing materials and for curbing and paving or sewerage, as the case may be, of any such street or streets either for the entire work in one contract or parts thereof in separate and specified sections as to them may seem best; provided that no work shall be done under any such contract until a certified copy shall have been filed in the office of the city clerk.

Sec. 2. That section 3 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Contract to be made in name of city.

Sec. 3. All such contracts shall be made by the board of public works in the name of the city upon such terms of payment as shall be fixed by the council and shall be made with the lowest bidder or bidders upon sealed proposals after public notice for not less than three weeks in at least two newspapers of said city which notice shall state the kind and amount of work to be done and specify the different kinds of material for which bids shall be received.

Sec. 3. That section 5 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Duty of city engineers.

Sec. 5. It shall be the duty of the city engineer to furnish the Board of Public Works with proper grades

and lines and see that the work is done in accordance with the ordinances and regulations of the city with respect to such grades and lines.

SEC. 4. That section 8 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted [enacted] in lieu thereof:

Sec. 8. For the purpose of providing for the payment of the cost and expense of any such improvement or improvements, the council shall be authorized from time to time, as the work progresses, upon estimates to be furnished by the Board of Public Works, to make requisitions upon the mayor of the city for the issue of bonds of the city in such sums as shall be deemed best, and it shall be the duty of the mayor to make and execute bonds accordingly in the name of the city to an amount not exceeding the amount of the contract price of any such improvement, and the incidentals attending the same. Said bonds to bear the name of the street or streets improved, to be signed by the mayor, and countersigned by the city clerk, and sealed with the corporate seal of the city, and shall all bear the same date, and be payable seven years after date, and redeemable at any time at the option of the city, and shall bear interest at the rate of not exceeding six per cent per annum, payable semi-annually.

Bonds to be issued in payment as work progresses.

Street improved to be named in bond.

SEC. 5. That section 10 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 10. When any such improvement shall have been completed it shall be the duty of the council to ascertain the entire amount of the bonds sold and the interest thereon to the date of completion which shall be taken to be the costs of such improvement and the entire amount of such cost, including the intersection of streets and alleys shall then be assessed by the Board of Public Works and City Engineer, constituting the Board of Assessors, upon the property fronting or abutting upon said improvement, provided that nothing in this act shall be construed as authorizing the council to assess a greater amount than three dollars, per lineal foot on account of the construction of sewers: and provided further that the cost of any such improvement shall not be assessed on property belonging to the State.

Cost of improvement to be assessed against abutting property.

SEC. 6. That section 11 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 11. The Board of Public Works shall cause a plat of the street or streets on which any improvement shall be made showing the separate lots of ground and the name of all such owners and the amount assessed

Plat of streets improved.

Names, plat,
costs, etc., to
be posted.

against each lot or piece of ground and shall give two weeks' notice in two newspapers of the city and by hand bills posted in conspicuous places on the line of such street or streets of the time and place where for the period of twenty days thereafter the same may be seen for the correction of errors, and after having corrected such errors as may be made known to them, said board shall file the same in the office of the city clerk and shall deliver a copy of said plat and schedule to the auditor of the county in which said city is situated.

SEC. 7. That section 12 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Assessment to
be paid in in-
stallments.

Sec. 12. Said assessment shall be placed on the tax duplicate or list of the county and shall be payable at the office of the county treasurer in seven equal installments with interest at six per centum from the date of the assessment upon the unpaid portion thereof, the first of which with interest on the whole amount at six per cent shall be payable at the first semi annual payment of taxes next succeeding the time said assessment is placed on said duplicate and the others annually thereafter, and said assessment shall be collected in the same manner and bear the same penalties when delinquent as now provided by law for the collection of other taxes.

Publication.

SEC. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.

Approved April 16, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 20 and Des Moines Leader April 21, 1888.

FRANK D. JACKSON, *Secretary of State.*