

CHAPTER 7.

AN ACT granting additional powers to certain cities of the second class and incorporated towns relating to the construction of sewers or tile drains. H. F. 46.

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

SECTION 1. Cities of the second class having less than five thousand population and incorporated towns shall have the power to construct sewers or tile drains along streets and alleys therein and to levy special taxes for the same against the abutting property and the owners thereof, whenever the resident owners of a majority of the linear front feet of the property subject to such assessment petition therefor. Cities may establish sewers along streets. Property owners to petition.

SEC. 2. If the assessment is made against property on one side of the street or alley only, the sewer or drain shall be built on that side, and such property shall be entitled to the benefits thereof, but if made against property on both sides of the street or alley the same shall be so built and located as to be of the greatest benefit to all the property assessed therefor. When sewer may be built on one side of street. When on both sides.

SEC. 3. All the owners of property assessed for such sewers or drains shall have the free use thereof, under reasonable rules and regulations adopted by the city or town. Free use of sewer by property owners.

SEC. 4. Such city or town shall have power to regulate by ordinance, the size, kind, and manner of construction of any such sewer or drain, and to provide the terms and conditions under which the property not taxed therefor may have the benefit of the same. Size and kind regulated by ordinance.

SEC. 5. The method of assessment, levy, collection, and payment of such special taxes shall be the same as in cities of over five thousand population, except that such tax shall not exceed one dollar per linear front foot. Method of levy and collection.

SEC. 6. The cost of constructing sewers and drains in excess of one dollar per linear front foot, and across intersecting streets and alleys, shall be paid from the general fund. Intersections paid from general fund.

Approved April 4, 1896.

CHAPTER 8.

AN ACT to authorize cities of the second class to acquire real estate within and without their territorial limits, for the purpose of outlets for sewers; and pay for the same out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlet. H. F. 37.

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

SECTION 1. That cities of the second class shall have the power to acquire real estate within and without their Real estate required for outlet of sewers.

territorial limits, necessary for the purpose of outlets for their sewers.

Property may be condemned when owner refuses to grant interest

SEC. 2. If the owner of any real estate, necessary to be taken for the purpose mentioned in the preceding section, refuses to grant the necessary interest in said real estate required for such purpose, or if the owner and the corporation cannot agree upon the compensation to be paid for the same, it may be condemned according to the same provisions relating to taking private property for works of internal improvement.

Expense of such outlet.

SEC. 3. The expense of such outlet shall be defrayed out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlet.

Contracts heretofore made declared legal.

SEC. 4. All contracts heretofore made in relation to the subject matter of the preceding sections are hereby declared to be legal and valid, the same as if they had been made under the authority of this act.

Publication.

SEC. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 8, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 9.

S. F. 211.

AN ACT granting additional powers to certain cities of the first class and cities acting under special charters in reference to the improvement of streets, highways, avenues, or alleys, and to provide for the payment of the cost thereof.

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

Power vested in cities of first class and special charter.

SECTION 1. That all cities of the first class that have been or may be organized since January 1, 1881, and all cities acting under special charter which now have or may hereafter have, according to any lawfully authorized census, a population of over twenty thousand, shall, in addition to the powers now conferred upon such cities, have power to provide by ordinance for the improvement of streets, highways, alleys, or avenues, by grading, paving, graveling, macadamizing, guttering, or curbing the same, and that the entire cost of any such improvement, including the intersections of streets and alleys and the space opposite alleys, except that portion assessable against railroads and street railways, shall be assessed and a special tax therefor levied upon and against the property abutting or fronting upon that portion of the street, alley, or avenue improved, in proportion to the front feet fronting or abutting upon such improvement.

May provide for improvement of streets.

Cost of intersections and alley space taxed against property abutting street.