

town; but if there be no such newspaper, such ordinances may be published in a newspaper designated by the council and having a general circulation in such city or town, or by posting copies thereof in three (3) public places therein, two (2) of which shall be at the post office and the mayor's office. When the ordinance is published in a newspaper it shall take effect from and after its publication; when published by posting, it shall take effect ten (10) days thereafter. It shall be a sufficient defense to any suit or prosecution for such fine, penalty, or forfeiture, to show that no such publication was made.

Approved January 4, 1924.

CHAPTER 106

MUNICIPAL CORPORATIONS

H. F. 159

AN ACT to amend, revise, and codify sections three thousand five hundred seventy-four (3574), three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations.

Be It Enacted by the General Assembly of the State of Iowa:

That sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599), three thousand six hundred (3600) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), and three thousand six hundred fifty-six (3656) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. Nuisances. They shall have power to prevent injury or annoyance from anything dangerous, offensive, or unhealthful; to cause any nuisance to be abated, and to provide for the assessment of the cost thereof to the property. They may prohibit any public or private nuisance, and may maintain actions in equity to restrain and abate any nuisance.

Sec. 2. Storing inflammable junk. The depositing or storing of inflammable junk, such as old rags, rope, cordage, rubber, bones, and paper, by dealers in such articles, within the fire limits of any city, unless it be in a building of fireproof construction, is a public nuisance.

Sec. 3. *Smoke nuisance - inspection.* The emission of dense smoke in cities of fifteen thousand (15,000) inhabitants or over is a nuisance and such cities may provide the necessary rules for smoke inspection.

Sec. 4. *Power to regulate.* They shall have power to regulate:

1. *Slaughterhouses.* The operation of packing and slaughterhouses, renderies, tallow chandleries, soap factories, bone factories, tanneries, and manufactories of fertilizers and chemicals.

2. *Parades.* Parades, by providing that before any association, company, society, order, exhibition or aggregation of persons shall parade or march upon their streets, they shall first obtain from the mayor a permit, to be issued without charge, which shall state the time, manner, and condition of such parade or march.

Sec. 5. *Power to regulate and license.* They shall have power to regulate and license:

1. *Hotels.* Hotels, restaurants, and eating houses.

2. *Engineers.* Engineers of stationary engines, and provide for their examination.

3. *Peddlers.* Peddlers, house movers, billposters, itinerant doctors, itinerant physicians and surgeons, junk dealers, scavengers, pawnbrokers, and persons receiving actual possession of personal property as security for loans, with or without a mortgage or bill of sale thereon.

4. *Employment bureaus.* Keepers of intelligence or employment offices, bureaus, and agencies, and all persons doing the business of seeking employment for others, or procuring or furnishing employees for others, or giving information whereby employees or employers may be obtained.

5. *Billboards.* The construction, location, and maintenance of billboards.

6. *Sales.* Sales of auctioneers, bankrupt and dollar stores, and the like, and those of transient merchants, and to define by ordinance who shall be considered transient merchants; but the exercise of such power shall not interfere with sales made by sheriffs, constables, coroners, marshals, executors, guardians, assignees of insolvent debtors or bankrupts, or any other person required by law to sell real or personal property.

Sec. 6. *Power to restrain and prohibit.* They shall have power to restrain and prohibit:

1. *Barbed wire.* The use of barbed wire to inclose land within the corporation, and provide for the removal of such wire.

2. *Sale of tainted provisions.* The sale of tainted or unsound meat, or other provisions, and to provide for the immediate seizure and destruction thereof.

3. *Offensive materials.* The deposit and removal of offensive materials and substances, and those engendering offensive odors and sights, so as to protect the public against the same.

4. *Pawnbrokers.* The purchasing or receiving by pawnbrokers and junk or secondhand dealers, of any property from minors, without the written consent of their parents or guardians, and to provide for the examination of the premises of such persons for the purpose of discovering stolen property.

5. *Animals running at large.* The running at large of cattle, horses, swine, sheep, and other animals, or fowl, within the limits of the corporation, and to authorize the distraining, impounding, and sale of the same, for the penalty incurred and the cost of the proceeding.

6. *Begging.* Begging in and on the streets and other public places.

7. *Riots.* Riots, noise, disturbance and disorderly assemblies, and to punish any person engaged in riotous, noisy, or disorderly conduct.

8. *Gambling.* All gambling games or devices; to authorize the destruction of all instruments or devices used for the purpose of gaming or gambling.

9. Gambling houses. Gambling houses, bawdy houses, disorderly houses, houses of ill-fame, road houses where lewdness is carried on, opium or hop joints or places resorted to for the use of opium or hashesh, and places where intoxicating liquor is illegally kept, sold, or given away, and to punish the keepers and inmates thereof, and persons resorting thereto, and persons who, knowing the character or reputation of such places, transport others to or from any of the above described places.

Sec. 7. Power to regulate, license, or prohibit. They shall have power to regulate, license, or prohibit:

1. Public dance halls. Public dance halls, skating rinks, swimming pools, and fortune tellers, palmists, and clairvoyants.
2. Billiard halls. Billiard halls, billiard tables, pool tables, and all other tables kept for hire; bowling alleys and shooting galleries or places.
3. Circuses. Circuses, menageries, theaters, theatrical exhibitions, shows, and exhibitions of all kinds; but lectures on scientific, historical, or literary subjects shall not come within this provision.
4. Dogs. The running at large of dogs within their limits, and to require them to be kept upon the premises of the owners thereof, unless licensed to run at large, and to provide for the destruction thereof when found at large contrary to and in violation of the provisions of any ordinance passed pursuant to the power herein granted.
5. Sales at auction. Sales at auction in streets, highways, avenues, alleys, and public places.

Sec. 8. Power to establish. They shall have power to establish and regulate:

1. Slaughterhouses. Slaughterhouses, and in cities having five thousand (5,000) or more inhabitants, to build and control the same.
2. Sanitary districts. Sanitary districts for the collection and disposal of garbage and other such waste material as may become dangerous to the public health or detrimental to the best interests of the community, and to adopt rules necessary for the administration thereof.
3. Garbage disposal plants. Garbage disposal plants, and erect or purchase the same.

That section three thousand six hundred twenty (3620) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 9. Dangerous structures. Cities and towns shall have the power to provide for the repair, removal, or destruction of any building, structure, or inclosure which is dangerous or liable to fall, and to levy and collect a special tax against the property and the owner for the expense thereof, as other special taxes are levied and collected.

That sections three thousand six hundred twenty-two (3622) and three thousand six hundred twenty-three (3623) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 10. Regulation of electric installation. Cities and towns shall have the power to prescribe rules for the installation of electric light and power wiring, electrical fixtures and appliances, and electrical work and materials, to provide for the inspection of such work, materials, and the manner of installation; to compel the removal of dangerous electric light and power wiring, electrical fixtures and appliances, and electrical work installed in violation of the manner prescribed. This section shall not apply to substations, central power stations, and the installations therein belonging to and operated by public utility corporations operating under state charters and franchises.

Sec. 11. Chimneys - manufactories - fireworks. They shall have power to regulate and control the building, construction, and erection of chimneys, stacks, flues, fireplaces, hearths, stovepipes, ovens, boilers, and all apparatus used for heating purposes, and the use of lights in stables, shops, and other places; to regulate or prohibit bonfires, and the use of fireworks, firecrackers, torpedoes, Roman candles, sky-rockets, and other pyrotechnic displays; to prevent the deposit of ashes and combustible matter in unsafe places, and to provide for the collection of the costs and expenses incurred in any of the matters provided for in this section and in section three thousand six hundred twenty-one (3621) of the compiled Code, in the manner authorized for the collection of special assessments.

That sections three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 13. Jail - stationhouse. Cities and towns may erect, establish, and maintain a jail, which shall be in the keeping of the marshal, under such rules as the council shall provide, and the provisions of the chapter on county jails shall apply, so far as applicable, to such jails and the persons in charge thereof. Any city or town shall have the right to use the jail of the county for the confinement of such persons as may be subject to imprisonment under the ordinances of such city or town, but it shall pay the county the cost of keeping such prisoners. Cities of the first class shall have power to erect, lease, establish, and maintain station-houses for the detention of persons arrested, which shall be under the control of the marshal.

That sections three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 14. Plumbers' license - board of examiners - inspection. Cities having a population of less than six thousand (6,000) and towns shall have power to regulate and license plumbers, to create a board of examiners to determine the qualifications thereof, to prescribe rules for the installation of plumbing work and materials, to provide for the inspection of such work, materials, and installation, and to compel the removal of plumbing installed in violation thereof.

Sec. 15. Plumbing regulations. All cities having a population of six thousand (6,000) or more shall adopt and enforce ordinances regulating the business of plumbing, and prescribe rules not inconsistent with law for the installation and inspection of plumbing, and prescribe the grade of material to be used and compel the removal of plumbing installed in violation of such rules.

Sec. 16. Examiners. In such cities the council shall, by ordinance, appoint a board of examiners, consisting of three (3) members, one (1) of whom shall be a practical journeyman plumber, one (1) a member of the local board of health, and one (1) a practical master plumber, two (2) of whom shall constitute a quorum for the transaction of business.

Sec. 17. Board - when not necessary. If there is no resident practical journeyman plumber or practical master plumber in the city, the council shall not be required to appoint a board of examiners, and every city not having a board of examiners shall require every person engaged as a master or employing plumber, or journeyman plumber, to have a certificate or license from some examining board within the state.

Sec. 18. Expenses - compensation. The council shall provide suitable rooms in which the board of examiners may hold its meetings, and shall provide for the

payment of the necessary incidental expenses incurred by the board, and may also provide a per diem compensation for the members of said board not exceeding ten dollars (\$10.00) per day for the time actually spent in performing their duties.

Sec. 19. Examinations - license - fee. The board shall, when so directed by the council, and under such rules as the council shall prescribe, hold examinations of applicants for licenses to work, either as master or employing plumber or journeyman plumber, and if satisfied as to the competency of the applicant shall issue to such plumber a license. The amount of the fee for such examination shall not exceed ten dollars (\$10.00) for a master or employing plumber and shall not exceed five dollars (\$5.00) for a journeyman plumber. Fees for the renewal of a master or employing plumber's certificate shall not be more than two dollars (\$2.00), and for a journeyman plumber's license, shall not be more than one dollar (\$1.00).

Sec. 20. When license valid - may be revoked. A plumber's license shall be valid and recognized throughout the state for a period of one (1) year, and may be renewed from year to year upon payment of the renewal fee. Such license shall not be transferable, and shall expire on the thirty-first day of December of each year. Any license may be revoked by a board of examiners for repeated violations of plumbing ordinances.

Sec. 21. Definition of terms. The term "journeyman plumber" shall mean a person who does any plumbing work which is by law, ordinance, or rule subject to official inspection. The term "master or employing plumber" shall include any person, firm, or corporation other than a journeyman plumber engaged in the business of installing plumbing. The term "plumbing" shall mean any receptacle or appliance installed or used to receive waste water, house soil, slops, or sewage.

That sections three thousand six hundred fifty-nine (3659), three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled Code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said Code are amended, revised, and codified to read as follows:

Sec. 22. Report. Each city or town shall, through its chief accounting and warrant issuing officer, make an annual public report which shall contain an accurate statement in summarized form of all collections made or receipts of the municipality from all sources, all accounts due the public but not collected, and all expenditures for every purpose, and, except as otherwise provided by law, a statement in detail of the cost of operation and income of each public utility operated or owned by the municipality. It shall show in detail the entire public debt of the municipality and the amount of debt which it may under the law contract for the year in which report is made.

Sec. 23. Reports by accounting officers. All accounting officers of all boards and commission departments and offices within the municipality receiving or disbursing public funds shall file with the auditor or clerk within thirty (30) days from the expiration of their fiscal year, a report in writing of official transactions in the form and manner required by law. In case of refusal or gross neglect to comply with the law governing the time and method of accounting for and reporting municipal transactions, the official delinquent shall be deemed guilty of a misdemeanor. The auditor or clerk may institute legal proceedings to enforce the making of such reports.

Sec. 24. Annual report - publication. The annual report shall be published in two (2) newspapers of general circulation in the city or town, or in one (1)

if no other is published therein, and if none be published, by posting a copy in three (3) public places within the city or town.

Sec. 25. Certified report - failure to make. On or before the first day of May of each year, the official making the report for each city or town, shall forward to the auditor of state a certified copy of the annual report. If such official fails to file his report with the auditor of state within the time prescribed, the auditor may send an examiner or examiners to make the report and the expenses thereof shall be charged against the delinquent city or town.

Sec. 26. Report - by whom made. It shall be the duty of the auditor or clerk who served in the capacity during the time covered by the report, to prepare and file the same, and if said official has retired from office, the council shall allow him such compensation for preparing the report as may be deemed proper, not to exceed five dollars (\$5.00) per day for the days actually employed in such service.

Sec. 27. Publication of reports by state auditor. The auditor of state shall prepare said reports for publication in a separate volume. Said report shall show under appropriate schedules the total receipts and expenditures, assets and indebtedness, and related data of all cities and towns in the state, together with comments and recommendations respecting desirable changes in the law governing financial administration in municipalities.

Sec. 28. Membership league of municipalities - appropriation. Cities and towns may by resolution annually appropriate out of the general fund to pay dues to the league of Iowa municipalities not to exceed the following amounts: Municipalities of less than two thousand population, ten dollars; from two thousand to five thousand, twenty dollars; from five thousand to ten thousand, thirty dollars; from ten thousand to thirty thousand, forty dollars; from thirty thousand to fifty thousand, fifty dollars; all over fifty thousand, sixty dollars. In addition they may pay the expenses of not more than two delegates to the annual meeting of the league.

Sec. 29. Annual financial report. Sections twenty-one (21) to twenty-five (25), inclusive, of this act shall apply to cities acting under special charters.

That section three thousand five hundred seventy-four (3574) of the compiled Code of Iowa is amended, revised and codified to read as follows:

Sec. 30. Municipal corporations shall have power to make and publish, from time to time, ordinances, not inconsistent with the laws of the state, for carrying into effect or discharging the powers and duties conferred by this title, and such as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the inhabitants thereof, and to enforce obedience to such ordinances by fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty days.

Approved April 16, 1924.

CHAPTER 106

MUNICIPAL CORPORATIONS

H. F. 160

AN ACT to repeal chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, relating to boards of public