

CHAPTER 114

MUNICIPAL CORPORATIONS

H. F. 170

AN ACT to amend, revise, and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) 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 nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), and three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. Protection of property from floods. Cities and towns may, in accordance with the provisions of this chapter, protect lots, lands, and property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, changing, diverting, or otherwise improving watercourses within their limits, by constructing levees, embankments, or conduits therefor, and may levy special assessments and other taxes to defray the expense of such improvements, and issue bonds and certificates in anticipation of such special assessments and taxes.

Sec. 2. Plans - petition - estimate of cost and benefit - plat. Upon the filing of a petition requesting the exercise of the powers mentioned in the preceding section, signed by one hundred (100) resident taxpayers of the city or town, the council may, or on its own motion it may, direct the city engineer or other competent person, to make necessary surveys, to prepare plans and specifications for doing the work, to furnish the council with an estimate of the cost, including an estimate of the damages to property, if any, and a map or plat showing the boundaries of the district which will be specially benefited by such improvement, a schedule showing, as nearly as may be, the ownership and value of each lot or parcel of land or other property therein as shown by the last assessment roll, and an estimate of the benefit to each lot or parcel of land and to any railway or street railway within such improvement district. The plans, specifications, estimates, maps, plates, and schedule so prepared shall be filed with the clerk.

That section three thousand nine hundred forty-four (3944) of the supplement to the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 3. Assessment. When the work is contracted for, the council shall assess the lands and other property included within the improvement district for such part of the cost of the improvement as shall be equal and in proportion to the benefit conferred by the improvement, but not in excess of twenty-five per cent of the value of said lands and other property after the improvement shall have been made.

That section three thousand nine hundred fifty (3950) of the supplement to the compiled Code of Iowa, is amended, revised, and codified to read as follows:

Sec. 4. Cost of improvements. After the contract or contracts for making such improvement have been entered into, the council shall ascertain the cost of the work, including the cost of property purchased or condemned and appropriated, and the cost of filling the old channel as ordered by the council and the cost of surveys, plans and specifications, estimates, notices, inspection, and supervision, and the preparing of plats and schedules of assessments, and shall thereupon by resolution levy the whole of the said cost remaining, after deducting the amount of the special assessments for benefits conferred upon the lands and other property within the improvement district, at one time as a special tax. Such tax shall be levied upon all the taxable property of the city except moneys and credits, and the levy shall not exceed in the aggregate five (5) mills per year for all improvements made.

Sec. 5. Certificate of levy filed. A certificate of such levies and of the special assessments for benefits conferred upon lands and property within the improvement district shall then be filed by the clerk with the auditor of the county or counties in which the city is located, and thereupon such taxes and assessments shall be placed upon the tax lists.

That sections three thousand nine hundred fifty-three (3953) and three thousand nine hundred fifty-four (3954) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 6. Bonds - indebtedness. Cities having fifty thousand (50,000) population or more may contract indebtedness and issue bonds for the purpose of paying for improvements contemplated by this chapter. Such bonds shall be payable in not to exceed twenty-five (25) equal annual installments, shall bear interest not to exceed five per cent (5%) per annum, payable semi-annually, and shall be made payable at such place, and be of such form as the council may by resolution designate. For the purpose of this chapter a city may become so indebted in an amount which with all other municipal indebtedness for general purposes may equal, but not exceed, five per cent (5%) of the actual value of the taxable property of said city as shown by the last preceding assessment roll.

Approved March 5, 1925.

#### CHAPTER 115

#### MUNICIPAL CORPORATIONS

#### S. F. 171

AN ACT to amend, revise, and codify sections three thousand nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty (3960) three thousand nine hundred sixty-four (3964), and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) 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 nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964), and three thousand nine hundred sixty-five (3965) of the compiled Code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said Code are amended, revised, and codified to read as follows:

Section 1. Certificates issued. The council may provide by resolution for