

## CHAPTER 159

## CITIES AND TOWNS

## S. F. 99

AN ACT to amend chapter two hundred ninety-three (293), code, 1935, by adding a section authorizing the leasing of park property under certain conditions.

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

1 SECTION 1. Chapter two hundred ninety-three (293), code, 1935, is  
2 amended by adding thereto after section five thousand seven hundred  
3 ninety-eight (5798) the following section:

4 "Park boards shall also have authority to lease under reasonable  
5 rules and requirements a particular park or portion thereof, under  
6 their jurisdiction, for a period not in excess of ten days, to charitable,  
7 fraternal and patriotic organizations, for the purpose of permitting  
8 such organizations to conduct celebrations, anniversaries and enter-  
9 tainments."

1 SEC. 2. This act, being deemed of immediate importance, shall be  
2 in full force and effect from and after its publication in the Red Oak  
3 Express, a newspaper published at Red Oak, Iowa, and The Malvern  
4 Leader, a newspaper published at Malvern, Iowa.

Senate File 99. Approved March 15, 1937.

I hereby certify that the foregoing act was published in the Red Oak Express, March 18, 1937, and the Malvern Leader, March 18, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*

## CHAPTER 160

## CITIES AND TOWNS

## S. F. 88

AN ACT to amend the law as it appears in chapter two hundred ninety-four (294) of the code of Iowa, 1935, relating to the creation of river front improvement commissions in certain cities, and the organization and powers thereof, by amending sections five thousand eight hundred fifteen (5815), five thousand eight hundred and twenty (5820), five thousand eight hundred and twenty-one (5821), five thousand eight hundred and twenty-two (5822), and five thousand eight hundred and twenty-three (5823), and by adding to said chapter two hundred ninety-four (294) section five thousand eight hundred and nineteen-a (5819-a) authorizing the river front improvement commissions, to acquire through purchase, gift or condemnation, that portion of the river bed, or channel, of any stream that is not meandered, lying within the corporate limits.

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

1 SECTION 1. Section five thousand eight hundred and fifteen (5815)  
2 of the code of Iowa, 1935, is hereby amended by inserting a comma  
3 " ," after the word "stream" in line three thereof, and by adding and  
4 inserting after said comma the following words: "or by a stream that  
5 is not meandered,".

1 SEC. 2. The law as it appears in chapter two hundred ninety-four  
2 (294) of the code of Iowa, 1935, is hereby amended by adding thereto  
3 as section five thousand eight hundred and nineteen-a (5819-a) the  
4 following:

5 "5819-a. Acquisition of Title to Bed of Stream that is not Mean-  
6 dered—Survey thereof. When any stream that is not meandered di-

7 vides or traverses the corporate limits of a city in which such river  
 8 front improvement commission has been appointed and qualified, said  
 9 commission may acquire the title in fee simple to such portion of the  
 10 channel or bed thereof lying within the corporate limits of the city as  
 11 it may deem advisable, by donation or purchase, or by condemnation  
 12 for the public uses authorized in this chapter, in the manner provided  
 13 by law for the taking of private property for public use, and shall take  
 14 the title to such property in the name of the commission and its suc-  
 15 cessors, in trust for the public, and shall hold the same exempt from  
 16 taxation. For the purposes of this act, the limits of the channel of any  
 17 such stream shall be determined and fixed by a survey made by the  
 18 city engineer of such city at the request of such commission. Where-  
 19 ever in sections five thousand eight hundred and twenty (5820) to five  
 20 thousand eight hundred and twenty-nine (5829) hereof, the terms  
 21 "stream", "such stream", or "such river" or like terms are used, such  
 22 terms are intended to, and do, refer to a stream whose bed or channel  
 23 is acquired pursuant to this section, as well as to meandered streams.

1 SEC. 3. Section five thousand eight hundred and twenty (5820) of  
 2 the code of Iowa, 1935, is hereby amended by striking from the second  
 3 and third lines thereof the words "such stream" appearing after the  
 4 word "of" in the second line thereof, and by adding and inserting in  
 5 lieu thereof the following words: "any such meandered stream; re-  
 6 deem lands acquired by it in the channel of any stream that is not  
 7 meandered;"

1 SEC. 4. Section five thousand eight hundred and twenty-one (5821)  
 2 of the code of Iowa, 1935, is hereby amended by striking from lines  
 3 four and five thereof the words "said stream within said city", and  
 4 by adding and inserting in lieu thereof the following words: "any such  
 5 meandered stream within such city, or within the channel of any  
 6 stream that is acquired by the commission pursuant to section five  
 7 thousand eight hundred and nineteen-a (5819-a) hereof,"

1 SEC. 5. Section five thousand eight hundred and twenty-two (5822)  
 2 of the code of Iowa, 1935, is hereby amended by adding and inserting  
 3 after the comma "," following the words "real estate" in the thirty-  
 4 fourth line thereof, the following words: "including the channel or  
 5 bed of any stream acquired by the commission pursuant to section five  
 6 thousand eight hundred and nineteen-a (5819-a) hereof,"

1 SEC. 6. Section five thousand eight hundred and twenty-three  
 2 (5823) of the code of Iowa, 1935, is hereby amended by adding and  
 3 inserting after the words "real estate" in the second line thereof, the  
 4 following words: ", including the channel or bed of any stream ac-  
 5 quired by the commission pursuant to section five thousand eight  
 6 hundred and nineteen-a (5819-a) hereof,"

1 SEC. 7. This act, being deemed of immediate importance, shall be  
 2 in full force and effect from and after its publication in the Waterloo  
 3 Daily Courier, a newspaper published at Waterloo, Iowa, and the Cedar  
 4 Falls Daily Record, a newspaper published at Cedar Falls, Iowa.

Senate File 88. Approved March 25, 1937.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,  
 March 30, 1937, and the Cedar Falls Daily Record, March 30, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*