

3 within this state, while under the influence of intoxicating liquor,
 4 narcotics, or other habit-forming drug, or to operate an aircraft in
 5 the air space above this state or on the ground or water within this
 6 state in a careless or reckless manner so as to endanger the life or
 7 property of another.

1 SEC. 2. Any person who violates the provisions of this act shall
 2 be guilty of a misdemeanor and upon conviction thereof shall be
 3 punished accordingly.

Approved April 24, 1947.

CHAPTER 182
 AIRPORT ZONING
 H. F. 374

AN ACT to amend sections three hundred twenty-nine point one (329.1), three hundred
 twenty-nine point four (329.4), three hundred twenty-nine point six (329.6),
 three hundred twenty-nine point nine (329.9) and three hundred twenty-nine point
 twelve (329.12), code 1946, relating to airport zoning, actions for the establishment
 of airport zoning regulations with respect to extra-territorial airport hazard
 areas, the courts wherein such actions may be maintained and the parties to
 such actions, airport zoning commissions, action by counties with respect to airport
 zoning and airport zoning boards of adjustment.

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

1 SECTION 1. Subsection two (2) of section three hundred twenty-
 2 nine point four (329.4), Code 1946, is hereby amended by inserting
 3 after the word "area" and before the word "is" in line fourteen (14)
 4 thereof, the words "or any part thereof".

1 SEC. 2. Section three hundred twenty-nine point six (329.6),
 2 Code 1946, is hereby amended by striking from line ten (10) thereof
 3 the word "municipality" and inserting in lieu thereof, the words
 4 "airport hazard area, or any part thereof," and said section is hereby
 5 further amended by striking the word "proceedings" in lines thirteen
 6 (13) and fourteen (14) thereof and inserting in lieu thereof the
 7 word "provisions" and said section is hereby further amended by
 8 striking the period (.) at the end of line fifteen (15) thereof, and
 9 inserting in lieu thereof, the following: "provided, however, that
 10 such municipality shall be joined as a party defendant in any such
 11 action."

1 SEC. 3. Section three hundred twenty-nine point nine (329.9),
 2 Code 1946, is hereby amended by adding thereto following the first
 3 sentence thereof, the following: "Any action taken on the part of
 4 any county under this chapter shall be by resolution of the board of
 5 supervisors thereof and no such action shall be taken without a
 6 majority of the board of supervisors voting therefor and consenting
 7 thereto." and said section is hereby further amended by striking
 8 therefrom the last sentence thereof, and by inserting in lieu thereof,
 9 the following: "The airport zoning commission shall consist of two
 10 members from each municipality selected by the governing body there-
 11 of and one additional member to act as chairman and to be selected

12 by a majority vote of the members selected by the municipality. The
13 terms of the members of the airport zoning commission shall be
14 for six years excepting that when the board shall first be created, one
15 of the members appointed by each municipality shall be appointed for
16 a term of two years and one for a term of four years. Members may
17 be removed for cause by the appointing authority upon written
18 charges after public hearing. Vacancies shall be filled for the unexpired
19 term of any member whose office becomes vacant in the same manner
20 in which said member was selected."

1 SEC. 4. Section three hundred twenty-nine point twelve (329.12),
2 Code 1946, is hereby amended by inserting therein following the
3 first paragraph thereof, the following: "The concurring vote of a
4 majority of the board shall be necessary to reverse any order, require-
5 ment, decision or determination of any administrative official or to
6 decide in favor of the applicant on any matter upon which it is
7 required to pass under any regulations adopted pursuant to this
8 chapter or to effect any variance therefrom." and said section is
9 hereby further amended by striking from the last line thereof, the
10 word "term" and inserting in lieu thereof the word "office" and said
11 section is hereby further amended by striking the period (.) at the
12 end thereof and inserting in lieu thereof the following: "in the same
13 manner in which said member was selected. The terms of the members
14 of the board of adjustment shall be for five years, excepting that when
15 the board shall first be created, one of the members appointed by
16 each municipality shall be appointed for a term of two years and
17 one for a term of four years."

1 SEC. 5. This act shall not affect the validity of any action taken
2 by any political subdivision creating an airport zoning commission,
3 appointing any existing comprehensive zoning commission as an
4 airport zoning commission or for any other purpose under the
5 provisions of chapter three hundred twenty-nine (329), Code 1946,
6 prior to the effective date of this act.

1 SEC. 6. Subsection four (4) of section three hundred twenty-nine
2 point one (329.1), Code 1946, is hereby amended by inserting follow-
3 ing the comma (,) after the word "village" and before the word "town"
4 in line two (2) thereof the word "or". Said subsection is further
5 hereby amended by striking from line two (2) thereof the following
6 "or township," and said subsection is further hereby amended by
7 striking all of said subsection following the word "state" in line
8 two (2) thereof and inserting in lieu thereof a period (.).

1 SEC. 7. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Toledo Chronicle, a newspaper published at Toledo, Iowa, and
4 in the Lake Mills Graphic, a newspaper published at Lake Mills,
5 Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in the Toledo Chronicle, May 1,
1947, and the Lake Mills Graphic, April 30, 1947.

ROLLO H. BERGESON, *Secretary of State.*