

1 SEC. 7. Section three hundred ninety point five (390.5), Code
2 1946, is amended by striking from line nine (9) the word "five" and
3 inserting in lieu thereof the word "twenty-five".

1 SEC. 8. This act shall apply to cities organized under special
2 charter.

1 SEC. 9. Section three hundred ninety point four (390.4), Code
2 1946, is amended by striking from the last line thereof the words
3 "such as" and inserting in lieu thereof the word "including".

1 SEC. 10. 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 American Citizen, a newspaper published at Des Moines, Iowa,
4 and the Cascade Pioneer, a newspaper published at Cascade, Iowa.

Approved March 20, 1947.

I hereby certify that the foregoing act was published in The American Citizen,
April 4, 1947, and the Cascade Pioneer, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 207

JOINT MUNICIPAL SEWERS

S. F. 270

AN ACT to repeal sections three hundred ninety-two point two (392.2), three hundred ninety-two point six (392.6), three hundred ninety-two point seven (392.7), three hundred ninety-two point eight (392.8), three hundred ninety-two point nine (392.9) and three hundred ninety-two point eleven (392.11), code 1946, and to enact substitutes therefor, relating to the joint use of municipal sewers, construction of such sewers, and the levy of special assessments and issuance of bonds or certificates in connection with such construction.

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

1 SECTION 1. Section three hundred ninety-two point two (392.2),
2 Code 1946, is hereby repealed and the following substituted in lieu
3 thereof:

4 "When any two such cities or towns shall have so contracted with
5 each other for the joint use of such sanitary sewer system for outletting
6 purposes, the city or town obligating itself to pay a consideration for
7 the use of the sanitary sewer system of the other city or town, shall
8 have the authority (1) to build the necessary line or lines of sanitary
9 sewer to connect the sanitary sewer system of such city or town with
10 the sanitary sewer system of such other city or town, and its council
11 shall have authority to levy, by resolution, a special assessment against
12 all of the property in such city or town which abuts upon any line
13 of sanitary sewer therein or which is adjacent thereto, for the payment
14 in whole or in part, of the cost of constructing such connecting line
15 or lines, and the amount agreed to be paid for the use of the sanitary
16 sewer system of such other city or town as an outlet, and costs
17 incident thereto, hereinafter spoken of as the project cost, and its
18 council shall have authority to establish, by resolution, a joint sewer
19 district or districts, including therein such property within its

20 corporate limits, as its council may determine will be benefitted,* and
21 its council may annually levy a tax thereon, of not to exceed five mills
22 for a joint sewer fund, provided, that if anticipation of the collection
23 of such tax be proposed by said council, such anticipated tax may be
24 levied at one time for current and succeeding years not exceeding
25 twenty, but that the levy of such tax for any such year shall not
26 exceed said five mills."

1 SEC. 2. Section three hundred ninety-two point six (392.6), Code
2 1946, is hereby repealed, and the following substituted in lieu thereof:

3 "In case the city or town council desires to pay the whole or any
4 part of the project cost from the proceeds of special assessments, it
5 shall, before the preparation of the plat and schedule, describe, in
6 a proposed resolution, the property abutting upon or adjacent to any
7 line of sanitary sewer in such city or town, which it contemplates
8 to so specially assess, and state in said resolution the aggregate
9 amount of such special assessments and the estimated project cost
10 to be borne by said city or town, and if the said city or town proposes
11 to pay the whole or any part of the project cost from the proceeds of
12 a joint sewer fund tax, such city or town council shall, in such proposed
13 resolution, establish a joint sewer district or districts upon which it
14 proposes to levy such tax, and the aggregate amount of joint sewer
15 fund tax it proposes to levy thereon, and if it is proposed to anticipate
16 the collection of such tax for more than one year, it shall state such
17 fact, and state the total estimated project cost to be borne by said
18 city or town, in said resolution. If it be proposed to pay part of the
19 project cost from the proceeds of special assessment and part from
20 the proceeds of a joint sewer tax, it shall be so stated in said proposed
21 resolution."

1 SEC. 3. Section three hundred ninety-two point seven (392.7),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Hearing shall be had upon the proposed resolution at a date fixed
5 by the city council. Said hearing shall not be less than twenty days
6 after the date of the completed giving of notice thereof. At such
7 hearing or any adjournment thereof, the proposed resolution may be
8 passed as proposed, or amended and passed."

1 SEC. 4. Section three hundred ninety-two point eight (392.8),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Said notice shall describe the property proposed to be assessed,
5 if any, and describe the district or districts wherein it is proposed
6 to levy a joint sewer tax, if any, and advise the taxpayers of the city
7 or town of the date when hearing shall be had on the proposed
8 resolution."

1 SEC. 5. Section three hundred ninety-two point nine (392.9),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Notice of said hearing shall be given by two publications in each
5 of two newspapers published in said city or town, if there be that

*According to enrolled act.

6 number, and if there be only one newspaper published in said city
7 or town, by two publications therein, and if there be no newspaper
8 published in such city or town, such notice shall be published in a
9 newspaper designated by the council, and having a general circula-
10 tion in such city or town, provided, in such case, three copies of such
11 notice be posted in three public places therein, one of which shall be
12 at the Mayor's office."

1 SEC. 6. Section three hundred ninety-two point eleven (392.11),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Sewer certificates or sewer bonds may be issued in anticipation
5 of the special assessments authorized herein and their issuance and
6 sale shall be in accordance with the provisions of Chapter three hundred
7 ninety-six. Joint sewer bonds may be issued in anticipation of the
8 collection of the joint sewer fund tax authorized herein under the
9 terms provided in the second paragraph of section four hundred eight
10 point ten, and such bonds and certificates may be sold to provide
11 funds to meet the project cost in whole or in part."

Approved May 1, 1947.

CHAPTER 208

GRADING AND FILLING LANDS

S. F. 137

AN ACT to amend sections three hundred ninety-four point two (394.2) and three hundred ninety-four point six (394.6), code 1946, relating to self-liquidating improvements, and providing that the provisions of said chapter relating to borrowing money and issuing revenue bonds be applicable to chapter three hundred eighty-four (384), code 1946.

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

1 SECTION 1. Section three hundred ninety-four point two (394.2),
2 Code 1946, be amended by inserting a comma (,) after the word "piers"
3 in the sixth line thereof, followed by the words "including the grading
4 and filling of lands under their control,".

1 SEC. 2. Section three hundred ninety-four point six (394.6), Code
2 1946, be amended by inserting after the comma in line five (5) thereof
3 the following: "including the grading and filling of lands under their
4 control, by issuing revenue bonds, payable as hereinafter provided,
5 and deliver such bonds to the Federal Government or an agency
6 thereof;"

1 SEC. 3. That said chapter three hundred ninety-four (394), Code
2 1946, be amended by adding thereto the following section:
3 "All of the provisions of this chapter relating to the borrowing of
4 money, and issuing revenue bonds for wharves, docks and piers, includ-
5 ing the grading and filling of lands, and for the payment thereof, shall
6 be applicable to chapter three hundred eighty-four (384), Code 1946."

Approved March 27, 1947.