

CHAPTER 166

SIDEWALKS IN CITIES AND TOWNS

H. F. 195

AN ACT to amend section three hundred eighty-nine point thirty-seven (389.37), Code 1946, relating to temporary sidewalks in cities and towns.

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

- 1 SECTION 1. Section three hundred eighty-nine point thirty-seven
- 2 (389.37), Code 1946, is hereby amended by striking the word "sixty
- 3 cents" in line six (6) and inserting in lieu thereof the following:
- 4 "one dollar".

Approved May 2, 1949.

CHAPTER 167

PARKING METER REVENUES

S. F. 9

AN ACT to repeal section three (3) of chapter two hundred six (206), Acts of the Fifty-second General Assembly, and to enact a substitute in lieu thereof, relating to parking meter revenues and the collection and allocation thereof, prohibiting the sale of any automotive supplies or services on any off-street parking area and providing a penalty for the violation thereof and making specific revisions relative to certain cities and towns.

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

- 1 SECTION 1. Section three (3) of chapter two hundred six (206),
- 2 Acts of the Fifty-second General Assembly, is repealed and the fol-
- 3 lowing enacted in lieu thereof.
- 4 "Sec. 3. Funds derived from the operation of parking meters shall
- 5 be used for the following purposes and none other, to-wit:
- 6 1. Payment of the cost of acquisition and installation of meters
- 7 purchased.
- 8 2. Payment of the cost of maintenance and repair of meters, the
- 9 collection of meter taxes, and the enforcement of traffic laws in the
- 10 parking meter district.
- 11 3. Payment of the purchase and installation costs of other park-
- 12 ing or traffic control devices installed on such portions of streets as
- 13 are equipped with parking meters.
- 14 4. Payment of the cost of acquiring by purchase, lease or similar
- 15 arrangement of parking lots or other off-street parking areas, in-
- 16 cluding operation, enlargement or improvement thereof or the facili-
- 17 ties thereof, within four tenths of a mile of the metered portion of
- 18 the streets within the meter district.
- 19 5. Retirement of revenue bonds issued pursuant to the provisions
- 20 of this chapter; and cities and towns may pledge such funds not re-
- 21 quired for the payment of costs under sub-sections one (1), two (2)
- 22 and three (3) hereof to the payment of such bonds.
- 23 Until such time as there shall have been provided adequate park-
- 24 ing lots or other off-street parking areas in any city or town operat-

25 ing parking meters, all revenues derived from the operation of such
26 parking meters or other similar devices not required for the payment
27 of costs under sub-sections one (1), two (2) and three (3) hereof
28 shall be expended for the acquisition of such facilities, provided, how-
29 ever that the total expenditures for items 2 and 3 shall not exceed 25%
30 of the total meter income and provided further that such funds may be
31 retained and accumulated for such purpose for such length of time and
32 in such amount as may be reasonably necessary to effectuate such
33 program of acquisition of parking lots or other off-street parking
34 areas. No part of the street area in any parking meter district shall
35 be set aside or used for parking purposes at a charge less than the
36 ordinary charge for parking throughout the parking meter district,
37 except such part of the street area in any parking meter district set
38 aside for the vehicles used by any person, firm, or corporation engaged
39 in public passenger transportation which are required by law to pay a
40 tax (for the use of the streets)."

1 SEC. 2. Any sale of automotive supplies or services other than
2 service incidental to the mere parking of cars by the city, a lessee of
3 the city, or by any other person, firm or corporation on any parking
4 lot or other off-street parking area, whether such service be paid for
5 in full or in part in money or for any other consideration, is prohibited
6 and any such sale shall constitute a misdemeanor and be punished as
7 such.

1 SEC. 3. Sections one (1) and two (2) of this act shall apply to cities
2 acting under special charter except those having a population of less
3 than 30,000.

1 SEC. 4. Sections one (1) and two (2) of this act shall not be
2 applicable to cities and towns having a population of less than
3 10,000, however, such cities shall have power and authority to use the
4 funds received from the operation of parking meters to pay the cost of
5 acquiring, operating, maintaining and repairing the same, and also to
6 pay the cost of acquiring and operating other parking and traffic
7 control devices. Any of such funds remaining thereafter may be used
8 either to purchase, lease or otherwise acquire parking lots or other
9 off-street parking areas for the parking of vehicles, or said remaining
10 funds may also be used for the retirement of revenue bonds issued for
11 the purpose of acquiring parking lots, in the event the revenue from
12 said parking lots is insufficient to pay the cost of retiring said bonds,
13 or for any other lawful purpose.

1 SEC. 5. Section four (4) of this Act shall be applicable to cities
2 acting under special charter having a population of less than 30,000.

1 SEC. 6. If any of the provisions of this Act shall be held invalid or
2 unconstitutional such invalidity or unconstitutionality shall not affect
3 other provisions of this Act and to these ends the provisions of this Act
4 are declared to be severable.

Approved April 11, 1949.