

4 tion or provision of this Act be declared unlawful it shall not affect  
5 the remainder thereof.

1 SEC. 36. Special charter municipalities. This Act shall also apply  
2 to cities and towns organized and operating under special charters.

Approved May 18, 1949.

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## CHAPTER 169

### SEWER ASSESSMENTS

S. F. 243

AN ACT to amend the law as it appears in section three hundred ninety-one point forty-two (391.42), Code 1946, relating to the cost of sewers and relating to the limitation on the cost thereof assessable to abutting property, and to adjacent property.

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

1 SECTION 1. That section three hundred ninety-one point forty-  
2 two (391.42), Code 1946, be amended by striking out the words "and  
3 not in excess of three dollars per linear foot of sewer", as said words  
4 appear in lines nine (9) and ten (10) of said section.

1 SEC. 2. All laws or parts of laws in conflict herewith are hereby  
2 repealed to the extent of any such conflict.

Approved April 20, 1949.

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## CHAPTER 170

### SEWER SYSTEMS IN ANNEXED CITIES AND TOWNS

H. F. 413

AN ACT authorizing cities comprised of annexed cities or towns to create and establish a sewer system and provide for the expense thereof under the provisions of either chapter three hundred fifty-eight\* (358), or three hundred ninety-one\* (391), Code 1946.

WHEREAS, in the early history of Iowa many small cities and towns were established, and

WHEREAS, economic progress, improved transportation, advanced communication, and the general welfare of the people resulted in the annexation to other cities and towns of close proximity, and

WHEREAS, the annexation of cities and towns was provided for by statute, and one of the legal requirements was that each city or town should discharge its own existing indebtedness, and

WHEREAS, many cities and towns entered into articles of annexation, and incorporated in such articles agreements which were wholly beyond the provisions and intent of such annexation statutes, and

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\*Words supplied by code editor, see §3.1 of the Code.

WHEREAS, agreements were made in some instances prohibiting tax levies for joint sewers or water systems which were to serve the city or town as constituted pursuant to such annexation, and

WHEREAS, the health, welfare, and sanitation of such consolidated areas, is deemed to be of vital public importance and

WHEREAS, the consolidation of improvements for the benefit of the public has been adopted by the state and its people as sound policy from a social and economic standpoint, Now, Therefore,

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

1 SECTION 1. It is hereby declared to be the public policy of this  
2 state to require adequate sanitation facilities and sewer systems for  
3 all cities or towns comprised of annexed cities or towns.

1 SEC. 2. Cities comprised of cities and towns which were annexed  
2 each to the other are hereby authorized to construct and repair sani-  
3 tary sewers, and maintain any and all sewers under the provisions of  
4 either chapter three hundred fifty-eight\* (358) or chapter three  
5 hundred ninety-one\* (391), Code 1946, regardless of any Article or  
6 Articles of annexation containing provisions which might be con-  
7 strued to prohibit such construction of sewers by any city or town.

1 SEC. 3. This act being deemed of immediate importance shall be-  
2 come effective upon its publication in the Clinton Herald, a newspaper  
3 published at Clinton, Iowa, and in the DeWitt Observer, a newspaper  
4 published at DeWitt, Iowa.

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Clinton Herald, March 24, 1949, and in the DeWitt Observer, March 31, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 171

### SEWAGE TREATMENT PLANTS

S. F. 491

AN ACT to amend sections three hundred ninety-four point one (394.1), three hundred ninety-four point three (394.3), and three hundred ninety-four point six (394.6), Code 1946, relating to self-liquidating improvements and providing for the financing of the construction of sewage treatment plants, and providing for the application of the provisions of chapter three hundred ninety-four (394), Code 1946, by sanitary districts incorporated under the provisions of chapter three hundred fifty-eight (358), Code 1946.

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

1 SECTION 1. Section three hundred ninety-four point one (394.1),  
2 Code 1946, is amended by inserting after the word "towns" in line  
3 one (1) thereof the following: "and sanitary districts incorporated  
4 under the provisions of chapter three hundred fifty-eight (358), Code  
5 1946".