

7 cities having a population of fifty thousand inhabitants or over. Except as hereinafter otherwise provided, the provisions of this chapter, including section three hundred ninety-nine point fourteen (399.14) but not excluding any other section hereof, shall apply only to cities which have heretofore acquired or which may hereafter acquire a municipal waterworks under authority contained in this chapter and which have heretofore financed or which may hereafter finance the cost of acquiring, extending or improving such municipal waterworks in whole or in part through the issuance of public service bonds or public service certificates as permitted and provided for in sections three hundred ninety-nine point seven (399.7) or three hundred ninety-nine point ten (399.10) hereof.

All proceedings including all resolutions and ordinances heretofore undertaken by or passed by the city council of any city which acquired its municipal waterworks prior to January 1, 1910, for the creation of a board of waterworks trustees under the provisions of section three hundred ninety-nine point fourteen (399.14) hereof or for the subsequent abolishment and discontinuance of such board, are hereby validated and confirmed."

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Movable
3 Record, a newspaper published in Movable, Iowa, and in The Marion
4 Sentinel, a newspaper published in Marion, Iowa.

Approved February 26, 1953.

I hereby certify that the foregoing Act, Senate File 188, was published in The Movable Record, Movable, Iowa, March 5, 1953, and in The Marion Sentinel, Marion, Iowa, March 5, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 191

MUNICIPAL REVENUE AND BONDS

H. F. 452

An Act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18), and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly of the state of Iowa, relating to taxation and other sources of municipal revenue, and to authorize the issuance of bonds for dump ground purposes.

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

1 SECTION 1. That section three (3) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by inserting between the word "except" and the word "as"
4 in line three (3) the following: "taxes for the payment of bonds and
5 the interest thereon, and except".

6 Further amend said section by striking from line four (4) thereof
7 the words "first day of September" and inserting in lieu thereof the
8 words "fifteenth day of August".

1 SEC. 2. Section four (4) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by

3 striking from lines four (4) and five (5) thereof the words "from
4 other funds or sources".

1 SEC. 3. Section five (5) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by
3 striking from line eighteen (18) thereof the following word and fig-
4 ures: "nineteen (19)", and by inserting in lieu thereof the follow-
5 ing word and figures: "twenty (20)".

1 SEC. 4. Section seven (7) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by
3 inserting following the word "thereto," in lines seven (7) and eight
4 (8) thereof, the following: "and for all drainage purposes connected
5 therewith,".

6 Further amend said section by inserting immediately following the
7 comma (,) after the word "marking," in line eleven (11) thereof,
8 the word "draining,".

9 Further amend said section by striking the semicolon (;) at the
10 end of subdivision eight (8) thereof, and inserting a comma (,) in
11 place thereof, and adding the following: "except for the payment of
12 bonds issued for bridge purposes;".

13 Further amend said section by adding a new subsection, as follows:
14 "Funds received by municipal corporations from the road use tax
15 fund shall be separately allocated for expenditure within the street
16 fund for only the purposes authorized and permitted by law."

1 SEC. 5. Section ten (10) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by in-
3 serting immediately following the word "town" in line nine (9) there-
4 of, the following: ", whether such cemetery is located within the lim-
5 its of such municipality or is established by its authority outside of
6 its corporate limits".

7 Further amend said section by striking subdivision nine (9) there-
8 of and inserting in lieu thereof the following:

9 "9. In lieu of the taxes provided by section three hundred seventy-
10 two point ten (372.10), Code 1950, for river front improvement pur-
11 poses;".

12 Further amend said section by striking subdivision eleven (11)
13 thereof and inserting in lieu thereof the following:

14 "11. In lieu of the taxes provided by subsections ten (10) and thir-
15 teen (13) of section three hundred eighty-four point three (384.3)
16 for dock purposes;".

1 SEC. 6. Section eleven (11) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking subdivision eight (8) thereof and inserting in lieu there-
4 of the following:

5 "8. In lieu of the taxes provided by sections three hundred seventy
6 point six (370.6), three hundred seventy point twenty-eight (370.28),
7 three hundred seventy point twenty-nine (370.29), and three hun-
8 dred seventy point thirty (370.30) for park purposes;".

1 SEC. 7. Section twelve (12) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking from lines nine (9) and ten (10) thereof the words "and

4 the interest on any bonds issued to pay for the construction, recon-
5 struction, repair or extension of such works," and by striking all of
6 lines twelve (12) and thirteen (13) of said section.

1 SEC. 8. Section thirteen (13) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking all of subsections two (2) and three (3) of said section
4 and inserting in lieu thereof the following:

5 "2. To pay the interest as it becomes due and to create a sinking
6 fund to pay the principal at maturity of all bonds issued by municipal
7 corporations except bonds or certificates which by their terms are
8 payable solely from assessments levied against benefited property and
9 bonds or certificates which by their terms are payable solely from
10 earnings derived from the operation of municipally owned revenue
11 producing undertakings;"

1 SEC. 9. That section eighteen (18) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by striking all of said section following the period in line
4 eight (8) thereof, and by adding thereto the following: "cities and
5 towns are hereby authorized to contract indebtedness and to issue gen-
6 eral obligation bonds to provide funds to pay the cost of acquiring
7 land for dump ground purposes. Taxes for the payment of said bonds
8 shall be levied in accordance with chapter seventy-six (76), Code
9 1950, and said bonds shall be payable through the debt service fund
10 in not more than twenty (20) years and bear interest at a rate not
11 exceeding five percent (5%) per annum, and shall be of such form as
12 the city or town council shall by resolution provide. The indebted-
13 ness incurred for the purpose herein provided in this Act shall not be
14 considered an indebtedness incurred for general or ordinary pur-
15 poses."

1 SEC. 10. Section twenty-five (25) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by striking the period (.) at the end of the first sentence in
4 subsection five (5) thereof, inserting a comma (,) in lieu thereof,
5 and adding the following: "but nothing contained in this subsection
6 shall be construed to limit the source of payment of bonds issued by
7 municipal corporations and interest thereon."

1 SEC. 11. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Neola
3 Gazette Reporter, a newspaper published in Neola, Iowa, and in the
4 Shelby News, a newspaper published in Shelby, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 452, was published in the Neola Gazette Reporter, Neola, Iowa, April 16, 1953, and in the Shelby News, Shelby, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*