

CHAPTER 108

COUNTY CONSERVATION BOARDS

H. F. 566

AN ACT to amend section one hundred eleven A point six (111A.6), Code 1962, relating to county conservation boards.

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

- 1 SECTION 1. Amend Section one hundred eleven A point six
- 2 (111A.6), Code 1962, by striking from line ten (10) thereof the words
- 3 "less than one-fourth mill or".

Approved May 6, 1963.

CHAPTER 109

COUNTY CONSERVATION BOARDS

H. F. 43

AN ACT relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment, or operators.

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

- 1 SECTION 1. Section one hundred eleven A point seven (111A.7),
- 2 Code 1962, is hereby amended as follows:
- 3 1. By inserting in line twenty-nine (29) after the word "materials"
- 4 the words "or real estate".
- 5 2. By inserting in line thirty (30) after the word "advisable" the
- 6 following:
- 7 "and may be reimbursed to the credit of the proper fund from
- 8 county conservation funds for actual expense of operation, supplies,
- 9 and materials or for the reasonable value for the use of real estate".

Approved March 18, 1963.

CHAPTER 110

METROPOLITAN PLANNING COMMISSIONS

H. F. 77

AN ACT to authorize the governing bodies of the cities and counties of Iowa and adjoining states to create regional or metropolitan planning commissions, and for school districts and other such bodies to participate in such commissions.

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

- 1 SECTION 1. The governing bodies of two or more adjoining cities,
- 2 independently or together with the governing body or bodies of the
- 3 county or counties within which such cities are located, or the govern-

4 ing bodies of two or more adjoining counties, or a county and its major
5 city or cities, or the governing bodies of one or more counties together
6 with the governing bodies of one or more cities adjoining such county
7 or counties, or any of the above together with a school district, bene-
8 fited water district, benefited fire district, sanitary district or any
9 other similar district which may be formed under an act of the legis-
10 lature, may cooperate in the creation of a joint planning commission
11 which may be designated to be a regional or metropolitan planning
12 commission, as agreed among the governing bodies. The governing
13 bodies of cities, counties, school districts or other governmental units
14 may cooperate with the governing bodies of the cities and counties or
15 other authorized governing bodies of any adjoining state or states in
16 the creation of such a joint planning commission where such coopera-
17 tion has been authorized by law by the adjoining state or states.

1 SEC. 2. The commission shall have not less than five members, ap-
2 pointed by the governing bodies of the area served by the commission.
3 A majority of the members of the commission shall be citizens who
4 hold no other public office or position except appointive membership
5 on a city plan commission or other planning commission, board or
6 agency. Citizen members shall be appointed for overlapping terms of
7 not less than three nor more than five years or thereafter until their
8 successors are appointed. The appointing governing bodies shall deter-
9 mine the amount of compensation, if any, to be paid to the members
10 of a commission. Any vacancy in the membership of a commission
11 shall be filled for the unexpired term in the same manner as the initial
12 appointment. The governing bodies shall have authority to remove
13 any member for cause stated in writing and after a public hearing.

1 SEC. 3. The joint planning commission shall elect one of its ap-
2 pointive members as chairman who shall serve for one year or until
3 he is re-elected or his successor is elected. The commission shall ap-
4 point a secretary who may be an officer or an employee of a governing
5 body or of the commission. The members of the commission shall meet
6 not less than four times a year at the call of the chairman and at such
7 other times as the chairman or the members of the commission shall
8 determine, shall adopt rules for the transaction of business, and shall
9 keep a record of their resolutions, transactions, findings and determi-
10 nations, which record shall be a public record. The commission may
11 employ such employees and staff as it may deem necessary for its
12 work, including a director of planning and consultants. In the per-
13 formance of its duties, the commission may cooperate with, contract
14 with, and accept and expend funds from federal, state, or local agen-
15 cies, public or semipublic agencies, or private individuals or corpora-
16 tions, and may carry out such cooperative undertakings and contract.
17 It may enter into other contracts and make expenditures for the pur-
18 chase of required equipment and supplies, and exercise all other
19 powers necessary to carry out the purposes of this Act. The expendi-
20 tures of the commission, exclusive of gifts or grants to the commission
21 or its contract receipts, shall be within the amounts appropriated or
22 provided to the commission by the governing bodies of the area served
23 by the commission, who are empowered to determine, agree upon, and

24 appropriate funds for the payment of the expenses of the commission
25 of their respective shares thereof. The governing bodies of the area
26 served by the commission shall cooperate with the commission and
27 may aid the commission by furnishing staff, services and property.

1 **SEC. 4.** The commission shall have the power and duty to make
2 comprehensive studies and plans for the development of the area it
3 serves which will guide the unified development of the area and which
4 will eliminate planning duplication and promote economy and efficiency
5 in the coordinated development of the area and the general welfare,
6 convenience, safety, and prosperity of its people. The plan or plans
7 collectively shall be known as the regional or metropolitan develop-
8 ment plan. The plans for the development of the area may include,
9 but shall not be limited to, recommendations with respect to existing
10 and proposed highways, bridges, airports, streets, parks and recre-
11 ational areas, schools and public institutions and public utilities, public
12 open spaces, and sites for public buildings and structures; districts
13 for residence, business, industry, recreation, agriculture, and forestry;
14 water supply, sanitation, drainage, protection against floods and other
15 disasters; areas for housing developments, slum clearance and urban
16 renewal and redevelopment; location of private and public utilities,
17 including but not limited to sewerage and water supply systems; and
18 such other recommendations concerning current and impending prob-
19 lems as may affect the area served by the commission. Time and
20 priority schedules and cost estimates for the accomplishment of the
21 recommendations may also be included in the plans. The plans shall
22 be based upon and include appropriate studies of the location and
23 extent of present and anticipated populations; social, physical, and
24 economic resources, problems and trends; and governmental conditions
25 and trends. The commission is also authorized to make surveys, land-
26 use studies, and urban renewal plans, provide technical services and
27 other planning work for the area it serves and for cities, counties, and
28 other political subdivisions in the area. A plan or plans of the com-
29 mission may be adopted, added to, and changed from time to time by
30 a majority vote of the planning commission. The plan or plans may
31 in whole or in part be adopted by the governing bodies of the cooper-
32 ating cities and counties as the general plans of such cities and coun-
33 ties. The commission may also assist the governing bodies and other
34 public authorities or agencies within the area it serves in carrying
35 out any regional plan or plans, and assist any planning commission,
36 board or agency of the cities and counties and political subdivisions
37 in the preparation or effectuation of local plans and planning consistent
38 with the program of the commission. The commission may cooperate
39 and confer, as far as possible, with planning agencies of other states
40 or of regional groups of states adjoining its area.

1 **SEC. 5.** Copies of the plan or plans and amendments or revisions
2 of a plan or plans prepared by a commission may be transmitted by
3 the commission to the chief administrative officers, the legislative
4 bodies, the planning commissions, boards or agencies of the counties
5 and cities within its area, and to regional or metropolitan planning
6 commissions established for adjoining areas. A commission may make

7 copies of its plan or plans or parts of plans available for general dis-
8 tribution or sale, and may advise and supply information, as far as
9 available, to persons and organizations who may request such advice
10 and information and who are concerned with the area's development
11 problems. It may also provide information to state and local agencies
12 and to the public at large, in order to foster public awareness and
13 understanding of the objectives of regional or metropolitan planning,
14 and in order to stimulate public interest and participation in the order-
15 ly, integrated development of the area served by the commission.

1 SEC. 6. To facilitate effective and harmonious planning of the
2 region or metropolitan area, all governing bodies in the area served
3 by a commission, and all county and city planning commissions, boards
4 or agencies in the area may file with the commission, for its informa-
5 tion, all county or city plans, zoning ordinances, official maps, building
6 codes, subdivision regulations, or amendments or revisions of them,
7 as well as copies of their regular and special reports dealing in whole
8 or in part with planning matters. County or city governing bodies,
9 or county or city local planning commissions, boards or agencies may
10 also submit proposals to a commission for such plans, ordinances,
11 maps, codes, regulations, amendments or revisions prior to their
12 adoption, in order to afford an opportunity to the commission to study
13 such proposals and to render advice thereon.

1 SEC. 7. Nothing in this chapter shall be construed to remove or
2 limit the powers of the cooperating cities, counties, school districts,
3 benefited water districts, benefited fire districts, sanitary districts, or
4 similar districts as provided by state law. All legislative power with
5 respect to zoning and other planning legislation shall remain with the
6 governing body of the cooperative cities and counties. Each partici-
7 pating city or county may continue to have its own planning commis-
8 sion or board but may under the joint agreement and in the interest
9 of economy and efficiency and in the interest of uniform standards and
10 procedures, request the metropolitan or regional planning commission
11 to assume duties and functions of local planning agencies in whole or
12 in part. The metropolitan or regional planning commission shall have
13 the duty and function of promoting public interest and understanding
14 of the economic and social necessity for long-term coordinated plan-
15 ning for the metropolitan or regional area, but its official recommen-
16 dations shall be made to the governing bodies of the cooperating cities,
17 counties, school districts, benefited water districts, benefited fire dis-
18 tricts, sanitary districts, or similar districts.

1 SEC. 8. If any provision of this Act or the application thereof to
2 any person or circumstance is held invalid, such invalidity shall not
3 affect other provisions or application of the Act which can be given
4 effect without the invalid provisions or application, and to this end the
5 provisions of this Act are declared to be severable.

Approved April 18, 1963.