

1 SEC. 3. NEW SECTION. A county or city hospital shall advertise  
 2 for bids before selling or leasing any property pursuant to sections  
 3 one (1) and two (2) of this Act. The advertisement shall definitely  
 4 describe the property and shall be published by at least one insertion  
 5 each week for two consecutive weeks in a newspaper having general  
 6 circulation in the county where the property is located. Bids shall  
 7 not be accepted prior to two weeks after the second publication nor  
 8 later than six months after the second publication. The highest com-  
 9 petent bid must be accepted unless all bids received are deemed inade-  
 10 quate and rejected.

Approved July 6, 1973.

This Act was passed by the G. A. before July 1, 1973.

## CHAPTER 230

### DOGS

S. F. 473

AN ACT relating to the delinquency of dog license fees.

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

1 SECTION 1. Section three hundred fifty-one point seventeen  
 2 (351.17), Code 1973, is amended to read as follows:  
 3 351.17 **Delinquency.** All license fees shall become delinquent on  
 4 the first day of ~~May~~ *July* of the year in which they are due and payable  
 5 and a penalty of one dollar shall be added to each unpaid license on  
 6 and after said date.

1 SEC. 2. Section three hundred fifty-one point eighteen (351.18),  
 2 Code 1973, is amended to read as follows:  
 3 351.18 **Certification of list.** On or before ~~May 15~~ *the fifteenth of*  
 4 *July*, the auditor shall certify to the county treasurer:  
 5 1. The name of the owner of each unlicensed dog.  
 6 2. The number of dogs so owned by said person and the sex thereof.  
 7 3. The amount of the unpaid license fee, plus a penalty of one dollar  
 8 for each dog.

Approved May 24, 1973.

## CHAPTER 231

### SANITARY DISTRICTS

S. F. 245

AN ACT relating to the conveyance of sanitary districts to a city or town.

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

1 SECTION 1. Chapter three hundred fifty-eight (358), Code 1973,  
 2 is amended by adding sections two (2) through ten (10) of this Act.

1 SEC. 2. NEW SECTION. A board of trustees of a sanitary district  
2 may, by resolution, authorize the filing of a petition in the office of the  
3 county auditor of the county in which the sanitary district or a major  
4 portion of it is located, requesting the conveyance and discontinuance  
5 of the sanitary district. The petition shall be addressed to the board  
6 of supervisors of the county where it is filed and must set forth:

7 1. The name of the sanitary district.

8 2. That the sanitary district lies wholly or partially within the cor-  
9 porate limits of a city or town, or the depository for the sanitary dis-  
10 trict is a municipal sanitary sewage system.

11 3. That the public health, comfort, convenience or welfare will be  
12 promoted by the conveyance and discontinuance of the sanitary district  
13 and the assumption of the duties, responsibilities and functions of the  
14 sanitary district by the city or town.

15 4. A statement that the city or town has agreed to assume the duties,  
16 responsibilities and functions of the sanitary district upon the convey-  
17 ance and discontinuance. A copy of the agreement shall be attached to  
18 the petition.

19 5. A listing of the assets and liabilities of the sanitary district, in-  
20 cluding a complete statement of indebtedness.

21 6. A copy of the resolution of the board of trustees of the sanitary  
22 district.

1 SEC. 3. NEW SECTION. The board of supervisors of the county in  
2 which the sanitary district or a major portion of it is located shall have  
3 jurisdiction of the proceedings on the petition, and the decision of a  
4 majority of the members of the board shall be necessary for approval  
5 of the petition for conveyance and discontinuance. Orders of the board  
6 made under this section shall be spread upon the records of the pro-  
7 ceedings of the board of supervisors, and shall be filed with the county  
8 recorder but need not be published under section three hundred forty-  
9 nine point sixteen (349.16) of the Code.

1 SEC. 4. NEW SECTION. It shall be the duty of the board of super-  
2 visors to whom the petition is addressed, at its next regular meeting  
3 to set the time and place when it shall meet for a hearing on the peti-  
4 tion, and it shall direct the county auditor in whose office the petition  
5 is filed to cause notice to be given to all persons whom it may concern,  
6 without naming them, of the pendency and request of the petition for  
7 the conveyance and discontinuance by publication of a notice once each  
8 week for two consecutive weeks in a newspaper of general circulation  
9 in the sanitary district, the last of the publications to be not less than  
10 twenty days prior to the date set for hearing on the petition. Proof of  
11 giving notice shall be made by affidavit of the publisher and shall be  
12 filed with the county auditor at the time the hearing begins.

1 SEC. 5. NEW SECTION. The notice of hearing shall state the fol-  
2 lowing:

3 1. That a petition has been filed with the county auditor of the  
4 county for the conveyance and discontinuance of the sanitary district.

5 2. An intelligible description of the boundaries of the sanitary dis-  
6 trict.

7 3. The date, hour and place where the petition will be heard before  
8 the board of supervisors of the county.

9 4. That the board of supervisors will hear all persons having an  
10 interest in the matter and that after the hearing, the board of super-  
11 visors will take action as is in the best interest of the sanitary district.

1 SEC. 6. NEW SECTION. The board of supervisors to whom the  
2 petition is addressed shall preside at the hearing and shall continue  
3 the same in session with adjournments from day to day, if necessary,  
4 and until completed, without being required to give further notice.  
5 At the hearing, all persons interested in the matter of the conveyance  
6 and discontinuance of the sanitary district may appear and shall be  
7 heard, for and against the conveyance and discontinuance, and the  
8 board shall examine into the matter and the equitable distribution of  
9 the assets, and equitable distribution and assumption of the liabilities  
10 which have accrued during the time the sanitary district has been in  
11 existence. The board shall receive evidence on the question from the  
12 parties interested, and, after hearing and reviewing the statements,  
13 evidence, and suggestions made and offered at the hearing, if it finds  
14 that the sanitary district lies wholly or partially within the corporate  
15 limits of a city or town or that the depository of the district is a  
16 municipal sanitary sewage system, that the public health, comfort,  
17 convenience or welfare will be promoted by the conveyance and dis-  
18 continuance of the sanitary district and the assumption of the duties,  
19 responsibilities and functions of the sanitary district by the city or  
20 town, and that the city or town has agreed to assume the duties,  
21 responsibilities and functions of the sanitary district, shall enter an  
22 order specifying the matter and specifying the equitable distribution  
23 of the assets, and the equitable distribution and assumption of the  
24 liabilities and responsibilities of the sanitary district and setting an  
25 effective date of the conveyance and discontinuance.

1 SEC. 7. NEW SECTION. When a sanitary district has been discon-  
2 tinued by order of the board of supervisors, as provided in this Act,  
3 the order of the board of supervisors shall be filed in the office of the  
4 recorder in the county or counties in which the sanitary district is  
5 located. The agreement of the city or town in which the sanitary dis-  
6 trict is located and which has agreed to assume the duties, responsi-  
7 bilities and functions of the sanitary district shall also be filed along  
8 with, and as part of the order of the board of supervisors conveying  
9 and discontinuing the district.

1 SEC. 8. NEW SECTION. The assumption by the city or town shall  
2 not affect or impair any rights or liabilities then existing for or  
3 against either the sanitary district or the city or town, and they may  
4 be enforced as provided in this Act.

1 SEC. 9. NEW SECTION. The indebtedness of the sanitary district  
2 shall be assumed and paid by the city or town, and may be paid by a  
3 tax to be levied exclusively upon the property within the jurisdiction  
4 of the sanitary district as it existed prior to the conveyance and dis-  
5 continuance, or by the issuance of such bonds as cities or towns may  
6 issue for purchasing and acquiring any sanitary sewer system or  
7 sewage disposal works and facilities or both.

1 SEC. 10. NEW SECTION. Suits to enforce claims or demands exist-  
2 ing at the time of the conveyance, discontinuance and assumption may

3 be prosecuted or brought against the city or town which assumes the  
4 obligations of the sanitary district, and judgments obtained shall be  
5 paid as provided in section nine (9) of this Act for the payment of the  
6 indebtedness.

1 SEC. 11. This Act, being deemed of immediate importance, shall  
2 take effect and be in force from and after its publication in the Ankeny  
3 Press-Citizen, a newspaper published in Ankeny, Iowa, and in the  
4 Evening Democrat, a newspaper published in Fort Madison, Iowa.

Approved June 19, 1973.

I hereby certify that the foregoing Act, Senate File 245, was published in the Ankeny Press-Citizen, Ankeny, Iowa, June 28, 1973, and in the Evening Democrat, Fort Madison, Iowa, June 27, 1973.

MELVIN D. SYNHORST, *Secretary of State.*

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CHAPTER 232  
TOWNSHIP CLERK

H. F. 373

AN ACT relating to a duty of a township clerk.

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

1 SECTION 1. Section three hundred fifty-nine point twenty-three  
2 (359.23), Code 1973, is amended to read as follows:  
3 359.23 Receipts and expenditures. Each township clerk, on the  
4 morning of the day of the general election and before the hour for  
5 opening the polls, shall post, at the place where such election is to be  
6 held in his township, a statement in writing, showing all receipts of  
7 money and disbursements in his office for the preceding two years,  
8 which shall be certified as correct by the trustees of the township.  
9 *Each township clerk shall also send a copy of this written statement*  
10 *to the county auditor no later than seven (7) days after the posting.*

Approved May 24, 1973.

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CHAPTER 233  
POLICE AND FIRE CHIEFS

H. F. 547

AN ACT relating to the requirements for the chief of police and the chief of the fire department.

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

1 SECTION 1. Section three hundred sixty-five point ten (365.10),  
2 Code 1973, is amended to read as follows:  
3 365.10 Preferences. In all examinations and appointments under  
4 the provisions of this chapter, other than promotions *and appoint-*  
5 *ments of chief of the police department and chief of the fire depart-*  
6 *ment*, honorably discharged men and women from the military or