

CHAPTER 235

COMPENSATION OF CITY OFFICERS

S. F. 453

AN ACT relating to the compensation of elected city officers.

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

1 SECTION 1. Section three hundred sixty-eight A point twenty-one
 2 (368A.21),* Code 1973, is amended to read as follows:
 3 368A.21 **Ineligibility—change of compensation.** No member of any
 4 city or town council shall, during the time for which he has been
 5 elected, be appointed to any municipal office which has been created
 6 or the emoluments of which have been increased during the term for
 7 which he was elected, nor shall the emoluments of any city or town
 8 officer be changed during the term for which he has been elected, *ex-*
 9 *cept that an increase in compensation of councilmen shall become effec-*
 10 *tive for all councilmen at the beginning of the term of the councilmen*
 11 *elected at the election next following the increase in compensation.*
 12 No person who shall resign or vacate any office shall be eligible to
 13 the same during the time for which he was elected, when, during the
 14 time, the emoluments of the office have been increased.

1 SEC. 2. Acts of the Sixty-fourth General Assembly, 1972 Session,
 2 chapter one thousand eighty-eight (1088),** section fifty-nine (59),
 3 subsection eight (8), is amended to read as follows:
 4 8. By ordinance, the council shall prescribe the compensation of
 5 the mayor, councilmen, and other elected city officers, but an increase
 6 in the compensation of the mayor ~~or councilmen~~ shall not become ef-
 7 fective during the term in which the increase is adopted, and the coun-
 8 cil shall not adopt such an ordinance *increasing the compensation*
 9 *of the mayor or councilmen* during the months of November and
 10 December immediately following a regular city election. *An increase*
 11 *in the compensation of councilmen shall become effective for all coun-*
 12 *cilmen at the beginning of the term of the councilmen elected at the*
 13 *election next following the increase in compensation.*

Approved July 12, 1973.

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

*See 64-1088-9, 199.

**See 64-1088-9.

CHAPTER 236

PUBLIC IMPROVEMENTS OUTSIDE CITIES

S. F. 3

AN ACT relating to improvement bonds and special assessments on certain property outside of cities.

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

1 SECTION 1. Acts of the General Assembly, Second Session of the
 2 Sixty-fourth General Assembly, chapter one thousand eighty-eight

3 (1088),* section one hundred nineteen (119), is amended to read as
4 follows:

5 Sec. 119. 1. A city may assess to private property within the city
6 the cost of construction and repair of public improvements within the
7 city, and main sewers, sewage pumping stations, disposal and treat-
8 ment plants, waterworks, water mains, extensions, and drainage con-
9 duits extending outside the city.

10 2. *Upon petition as provided in section one hundred twenty-two*
11 *(122), subsection one (1), of this chapter, a city may assess to private*
12 *property affected by public improvements within three miles of the*
13 *city's boundaries the cost of construction and repair of public improve-*
14 *ments within that area. The right of way of a railway company shall*
15 *not be assessed unless the company joins as a petitioner for said im-*
16 *provements. In the petition the property owners shall waive the limita-*
17 *tion provided in section one hundred forty-three (143) of this chapter*
18 *that an assessment may not exceed twenty-five percent of the value of*
19 *the lot. The petition shall contain a statement that the owners agree*
20 *to pay the city an amount equal to five percent of the cost of the im-*
21 *provements, to cover administrative expenses incurred by the city.*
22 *This amount may be added to the cost of the improvements. Before the*
23 *council may adopt the resolution of necessity, the preliminary resolu-*
24 *tion, preliminary plans and specifications, plat, schedule, and estimate*
25 *of cost must be submitted to, and receive written approval from the*
26 *board of supervisors of any county which contains part of the prop-*
27 *erty, and the city development board established in section thirty-three*
28 *(33) of this chapter.*

1 SEC. 2. Acts of the General Assembly, Second Session of the Sixty-
2 fourth General Assembly, chapter one thousand eighty-eight (1088),*
3 section one hundred forty-nine (149), subsection two (2), unnumbered
4 paragraph two (2), is amended to read as follows:

5 Such bonds must be called "improvement bonds", must designate the
6 general type of improvement or improvements for which issued, and
7 may be issued in any denomination, not exceeding ten thousand dollars.
8 *Bonds issued for a public improvement authorized in section one hun-*
9 *dred nineteen (119), subsection two (2), of this chapter must be named*
10 *in a way to distinguish them from other improvement bonds of the city,*
11 *and to designate the property specially assessed for the improvement.*

1 SEC. 3. Acts of the General Assembly, Second Session of the Sixty-
2 fourth General Assembly, chapter one thousand eighty-eight (1088),*
3 section one hundred forty-nine (149), subsection five (5), is amended
4 to read as follows:

5 5. Any excess of proceeds from special assessments remaining after
6 all of the bonds for a particular improvement have been paid with
7 interest may be credited to the fund from which deficiencies for the
8 improvement could have been paid. *However, any excess in a default*
9 *fund established for a public improvement authorized in section one*
10 *hundred nineteen (119), subsection two (2), of this chapter shall be*
11 *held by the city in a special fund to guarantee other improvement*

*See 64-1088-9.

12 *bonds which may be issued by the city for public improvements author-*
 13 *ized under that section.*

Approved April 19, 1973.

CHAPTER 237

SPECIAL ASSESSMENT DEFICIENCIES

H. F. 219

AN ACT relating to special assessment deficiencies.

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

1 SECTION 1. Acts of the General Assembly, 1972 Session of the
 2 Sixty-fourth General Assembly, Chapter one thousand eighty-eight
 3 (1088),* Section one hundred twenty-eight (128), is amended to read
 4 as follows:

5 Sec. 128. The schedule, as prepared by the engineer, must show the
 6 following information for each lot within the district:

7 1. A description of each lot and the name of the property owner.
 8 2. The valuation of each lot as determined by the council.
 9 3. The total amount proposed to be assessed to each lot, including
 10 the assessment for the default fund, if any.

11 4. *The proportion of the estimated total cost of the public improve-*
 12 *ment which is allocated to each lot.*

13 4 5. The amount of deficiency, if any, between the amount proposed
 14 to be assessed and the proportion of the estimated total cost of the
 15 public improvement allocated to each lot. *The amount of deficiency*
 16 *shall be shown as a conditional deficiency assessment as authorized by*
 17 *sections three (3) through five (5) of this Act.*

1 SEC. 2. Acts of the General Assembly, 1972 Session of the Sixty-
 2 fourth General Assembly, Chapter one thousand eighty-eight (1088),*
 3 Section one hundred forty (140), is amended to read as follows:

4 Sec. 140. Within thirty days after the council adopts a resolution
 5 fixing the amount to be assessed against private property, the engineer
 6 shall file with the clerk an assessment schedule showing:

7 1. A description of each lot to be assessed.
 8 2. The valuation of each lot as fixed by the council.
 9 3. The amount to be assessed against each lot, which shall include
 10 the assessment for the default fund, if any, *and the amount of defi-*
 11 *ciency, if any, which may be subsequently assessed against each lot*
 12 *under section five (5) of this Act.* No special assessment against any
 13 lot shall be more than ten percent in excess of the estimated cost, as
 14 provided in the preliminary schedule required under section one hun-
 15 dred twenty-eight (128) of this Act.

1 SEC. 3. Acts of the General Assembly, 1972 Session of the Sixty-
 2 fourth General Assembly, Chapter one thousand eighty-eight (1088),*
 3 Section one hundred forty-one (141), Subsection one (1), is amended
 4 to read as follows:

5 1. Confirm and levy assessments, *including a conditional levy of the*

*See 64-1088-9.