

CHAPTER 1128
CITY DEVELOPMENT

S. F. 356

AN ACT relating to city development by changing the number of local representatives appointed when a petition for boundary adjustment involves territory in more than one county, clarifying the publication requirements for notice of election results, and allowing chapter three hundred sixty-eight (368) of the Code to prevail over chapter seventeen A (17A) of the Code in certain instances.

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

Section 1. Section three hundred sixty-eight point fourteen (368.14), unnumbered paragraph one (1) and subsections three (3) and four (4), Code 1977, are amended to read as follows:

If a petition is not dismissed, the board shall direct the appointment of local representatives to serve with board members as a committee to consider the proposal. Each local representative is entitled to receive from the state his or her actual and necessary expenses spent in performance of committee duties. Two board members and one local representative, or if the number of local representatives exceeds one, two board members and at least one-half of the appointed local representatives, are required for a quorum of the committee. A local representative must be a qualified elector of the territory or city he or she represents, and must be selected as follows:

3. From a territory to be annexed to or severed from a city, one representative appointed by the county board of supervisors. If the territory is in more than one county, the board shall direct the appointment of a local representative from each county involved by its board of supervisors.

4. From a city to which territory is to be annexed or from which territory is to be severed, one representative appointed by the city council. If the territory is in more than one county, the board shall direct the appointment of an equal number of city and county local representatives.

Sec. 2. Section three hundred sixty-eight point twenty-two (368.22), unnumbered paragraphs two (2) and four (4), Code 1977, are amended to read as follows:

Appeal must be filed within thirty days of the filing of

a decision or the ~~second~~ publication of notice of the result of an election.

The judicial review provisions of this section and chapter seventeen A (17A) of the Code shall be the exclusive means by which a person or party who is aggrieved or adversely affected by agency action may seek judicial review of that agency action. The court's review on appeal of a decision is limited to questions relating to jurisdiction, regularity of proceedings, and whether the decision appealed from is arbitrary, unreasonable, or without substantial supporting evidence. The court may reverse and remand a decision of the board or a committee, with appropriate directions. The following portions of section seventeen A point nineteen (17A.19) of the Code are not applicable to this chapter:

1. The part of subsection two (2) which relates to where proceedings for judicial review shall be instituted.

2. Subsection five (5).

3. Subsection eight (8).

Sec. 3. This Act is effective January 1, 1979.

Approved June 26, 1978

CHAPTER 1129

AGRICULTURAL AND HORTICULTURAL LAND IN CITIES TAXED

H.F. 2035

AN ACT relating to the taxation of property used for agricultural and horticultural purposes and located within the corporate limits of a city and making the provisions of this Act retro-active.

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

Section 1. Section three hundred eighty-four point one (384.1), Code 1977, is amended to read as follows:

384.1 TAXES CERTIFIED. A city may certify taxes to be levied by the county on all taxable property within the city limits, for all city government purposes. However, the tax levied by a city on ~~lots-of-more-than-ten-acres-and-the personal-property-thereon,-occupied-and~~ tracts of land and improvements thereon used and assessed for agricultural or horticultural purposes, may not exceed ~~thirty-three-and-three-fourths~~ three dollars and three-eighths cents per thousand dollars of assessed value in any year. Improvements and personal property located on such tracts of land and not used