

384.37 Definitions.

As used in [this division](#), unless the context otherwise requires:

1. “*Abutting lot*” means a lot which abuts or joins the street in which the public improvement is located or which abuts the right-of-way of the public improvement.
2. “*Adjacent lot*” means a lot within the district which does not abut upon the street or right-of-way of the public improvement.
3. “*Construction*” includes materials, labor, acts, operations and services necessary to complete a public improvement.
4. “*District*” means the lots or parts of lots within boundaries established by the council for the purpose of the assessment of the cost of a public improvement.
5. “*Engineer*” means a professional engineer, licensed in the state of Iowa, authorized by the council to render services in connection with the public improvement.
6. “*Final grade*” means the grade to which the public improvement is proposed to be constructed or repaired as shown on the final plans adopted by the council.
7. “*Grade*” means the longitudinal reference lines, as established by ordinance of the council, which designate the elevations at which a street or sidewalk is to be built.
8. “*Gravel*” includes gravel, crushed rock, cinders, shale and similar materials suitable for street construction or repair.
9. “*Lateral sewer*” means a sewer which contributes sewage, or surface or groundwater from a local area to a main sewer or outlet.
10. “*Lot*” means a parcel of land under one ownership, including improvements, against which a separate assessment is made. Two or more contiguous parcels under common ownership may be treated as one lot for purposes of [this division](#) if the parcels bear common improvements or if the council finds that the parcels have been assembled into a single unit for the purpose of use or development.
11. “*Main sewer*” means a sewer which serves as an outlet for two or more lateral sewers, and which is commonly referred to as an intercepting sewer, outfall sewer or trunk sewer.
12. “*Oil*” means any asphaltic or bituminous material suitable for street construction or repair.
13. “*Parking facilities*” means parking lots or other off-street areas for the parking of vehicles, including areas below or above the surface of streets.
14. “*Paving*” means any kind of hard street surface, including, but not limited to, concrete, bituminous concrete, brick, stabilized gravel, or combinations of these, together with or without curb and gutter.
15. “*Private property*” means all property within the district except streets.
16. “*Property owner*” or “*owner*” means the owner or owners of property, as shown by the transfer books in the office of the county auditor of the county in which the property is located.
17. “*Proposal*” means a legal bid on work advertised for a public improvement under [chapter 26](#).
18. “*Publication*” means public notice given in the manner provided in [section 362.3](#).
19. “*Public improvement*” includes the principal structures, works, component parts and accessories of any of the following:
 - a. Sanitary, storm and combined sewers.
 - b. Drainage conduits, channels and levees.
 - c. Street grading, paving, graveling, macadamizing, curbing, guttering, and surfacing with oil, oil and gravel or chloride.
 - d. Street lighting fixtures, connections and facilities.
 - e. Sewage pumping stations, and disposal and treatment plants.
 - f. Underground gas, water, heating, sewer and electrical connections located in streets for private property.
 - g. Sidewalks and pedestrian underpasses or overpasses.
 - h. Drives and driveway approaches located within the public right-of-way.
 - i. Waterworks, water mains and extensions.
 - j. Plazas, arcades and malls.
 - k. Parking facilities.

l. Removal of diseased or dead trees from any public place, publicly owned right-of-way or private property.

m. Traffic-control devices, fixtures, connections, and facilities.

20. “*Railways*” means all railways except street railways.

21. “*Repair*” includes materials, labor, acts, operations and services necessary for the repair, reconstruction, reconstruction by widening or resurfacing of a public improvement.

22. “*Sewer*” means structures designed, constructed and used for the purpose of controlling or carrying off streams, surface waters, waste or sanitary sewage.

23. “*Sewer systems*” are composed of the main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers, drainage conduits or channels and sewer connections in public streets for private property.

24. “*Street*” means a public street, highway, boulevard, avenue, alley, parkway, public place, plaza, mall or publicly owned right-of-way or easement within the limits of the city.

25. “*Street improvement*” means the construction or repair of a street by grading, paving, curbing, guttering, and surfacing with oil, oil and gravel, or chloride, and street lighting fixtures, connections and facilities.

26. “*Total cost*” or “*cost*” of a public improvement includes the cost of engineering, preliminary reports, property valuations, estimates, plans, specifications, notices, legal services, acquisition of land, consequential damages or costs, easements, rights-of-way, construction, repair, supervision, inspection, testing, notices and publication, interest during construction and for not more than six months thereafter, and printing and sale of bonds.

[R60, §1064, 1097; C73, §464 – 466, 527; C97, §751, 779, 792; S13, §779, 792, 792-f, 840-c, -d; SS15, §751, 840-h, -r; C24, 27, §5938, 5962, 5974, 5975, 5987; C31, 35, §5938, 5962, 5974, 5975, 5987, 6610-c8; C39, §5938, 5962, 5974, 5975, 5987, 6610.04; C46, §389.1, 389.31, 391.1, 391.2, 391.14, 417.8; C50, 54, 58, 62, §389.1, 389.31, 391.1, 391.2, 391.14, 391A.1, 417.8; C66, 71, 73, §389.1, 389.31, 390A.39, 391.1, 391.2, 391.14, 391A.1, 417.8; C75, 77, 79, 81, §384.37]

[83 Acts, ch 90, §23](#); [92 Acts, ch 1176, §1](#); [2007 Acts, ch 126, §61](#); [2007 Acts, ch 144, §17](#)

Referred to in [§298.3](#), [§331.485](#), [§357E.11A](#), [§384.24](#), [§384.44](#), [§386.1](#), [§468.585](#), [§669.14](#), [§670.4](#)