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Senate File 184

By O'MALLEY, SCHROEDER, NOLAN.

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Vote: Ayes 49 Nays 1 Vote: Ayes 92 Nays 0

Approved (by Gov. Lynn 2-1957)

## A BILL FOR

An Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas in cities and towns.

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

- 1 Section 1. This Act shall be known and may be cited as the
- 2 "urban renewal law".
- 1 Sec. 2. 1. It is hereby found and declared that there
- 2 exist in municipalities of the state slum and blighted areas,
- 3 as herein defined, which constitute a serious and growing
- 4 menace, injurious to the public health, safety, morals and
- 5 welfare of the residents of the state; that the existence
- 6 of such areas contributes substantially and increasingly to
- 7 the spread of disease and crime, constitutes an economic and
- 8 social liability imposing onerous municipal burdens which
- 9 decrease the tax base and reduce tax revenues, substantially
- 10 impairs or arrests the sound growth of municipalities, retards
- 11 the provision of housing accommodations, aggravates traffic
- 12 problems and substantially impairs or arrests the elimination of
- 13 traffic hazards and the improvement of traffic facilities; and
- 14 that the prevention and elimination of slums and blighted
- 15 areas is a matter of state policy and state concern in order
- 16 that the state and its municipalities shall not continue to
- 17 be endangered by areas which are focal centers of disease.
- 18 promote juvenile delinquency and consume an excessive proportion

19 of state revenues because of the extra services required for  
20 police, fire, accident, hospitalization and other forms of  
21 public protection, services and facilities.

22 2. It is further found and declared that certain slum or  
23 blighted areas, or portions thereof, may require acquisition,  
24 clearance, and disposition subject to use restrictions, as  
25 provided in this Act, since the prevailing condition of decay  
26 may make impracticable the reclamation of the area by conserva-  
27 tion or rehabilitation, that other areas or portions thereof may,  
28 through the means provided in this Act, be susceptible of  
29 conservation or rehabilitation in such a manner that the  
30 conditions and evils hereinbefore enumerated may be eliminated,  
31 remedied or prevented; and that fringe areas can be conserved  
32 and rehabilitated through appropriate public action as herein  
33 authorized, and through the cooperation and voluntary action  
34 of the owners and tenants of property in such areas.

35 3. It is further found and declared that the powers conferred  
36 by this Act are for public uses and purposes for which public  
37 money may be expended and for which the power of eminent domain  
38 and police power exercised; and that the necessity in the public  
39 interest for the provisions herein enacted is hereby declared  
40 as a matter of legislative determination.

1 Sec. 3. The local governing body of a municipality may  
2 formulate for the municipality a workable program for utilizing  
3 appropriate private and public resources to eliminate slums  
4 and prevent the development or spread of slums and urban blight  
5 and to encourage needed urban rehabilitation. Such workable  
6 program may include, without limitation, provisions for:

7 1. The prevention of the spread of blight into areas of the

8 municipality which are free from blight, through diligent enforce-  
9 ment of housing, zoning and occupancy controls and standards.

10 2. The rehabilitation or conservation of slum or blighted  
11 areas or portions thereof by replanning, by removing congestion,  
12 by providing parks, playgrounds and other public improvements,  
13 by encouraging voluntary rehabilitation and by compelling the  
14 repair and rehabilitation of deteriorated or deteriorating  
15 structures.

16 3. The clearance of slum and blighted areas or portions  
17 thereof.

18 4. The redevelopment of slum and blighted areas by approval  
19 of urban renewal building plans.

20 5. The entering into of contracts with persons submitting  
21 such plans which have been approved, for the purpose of carrying  
22 out such urban renewal building plans.

1 Sec. 4. No municipality shall exercise the authority herein  
2 conferred upon municipalities by this Act until after its local  
3 governing body shall have adopted a resolution finding that:

4 1. One or more slum or blighted areas exists in such municipi-  
5 pality.

6 2. The rehabilitation, conservation, redevelopment, or a  
7 combination thereof, of such area or areas is necessary in the  
8 interest of the public health, safety, morals or welfare of the  
9 residents of such municipality.

1 Sec. 5. 1. A municipality shall not approve an urban renewal  
2 project for an urban renewal area unless the governing body has,  
3 by resolution, determined such area to be a slum area or a blighted  
4 area or a combination thereof, and designated such area as appro-  
5 priate for an urban renewal project. The local governing body

6 shall not approve an urban renewal program until a general  
7 program for the municipality has been prepared. For this purpose  
8 and other municipal purposes, authority is hereby vested in every  
9 municipality to prepare, to adopt and to revise from time to time,  
10 a general program for the physical development of the municipality  
11 as a whole, giving due regard to the environs and metropolitan  
12 surroundings. A municipality shall not acquire real property for  
13 an urban renewal project unless the local governing body has  
14 approved the urban renewal project in accordance with subsection  
15 four (4) hereof.

16 2. The municipality may itself prepare or cause to be prepared  
17 an urban renewal program; or any person or agency, public or  
18 private, may submit such a program to a municipality. Prior to  
19 its approval of an urban renewal project, the local governing body  
20 shall submit such a program to the planning commission of the munici-  
21 pality, if any, for review and recommendations as to its conformity  
22 with the general program for the development of the municipality  
23 as a whole. The planning commission shall submit its written  
24 recommendations with respect to the proposed urban renewal program  
25 to the local governing body within thirty (30) days after receipt  
26 of the program for review. Upon receipt of the recommendations  
27 of the planning commission or, if no recommendations are received  
28 within said thirty (30) days, then, without such recommendations,  
29 the local governing body may proceed with the hearing on the  
30 proposed urban renewal project prescribed by subsection three  
31 (3) hereof.

32 3. The local governing body shall hold a public hearing on an  
33 urban renewal project after public notice thereof by publication  
34 in a newspaper having a general circulation in the area of opera-

35 tion of the municipality. The notice shall describe the time, date,  
36 place and purpose of the hearing, shall generally identify the  
37 urban renewal area covered by the program, and shall outline the  
38 general scope of the urban renewal project under consideration.

39 4. Following such hearing, the local governing body may  
40 approve an urban renewal project if it finds that:

41 a. A feasible method exists for the location of families who  
42 will be displaced from the urban renewal area into decent, safe  
43 and sanitary dwelling accommodations within their means and with-  
44 out undue hardship to such families;

45 b. The urban renewal program conforms to the general program  
46 of the municipality as a whole; provided, that if the urban renewal  
47 area consists of an area of open land to be acquired by the munici-  
48 pality, such area shall not be so acquired except:

49 (1) If it is to be developed for residential uses, the local  
50 governing body shall determine that a shortage of housing of sound  
51 standards and design with decency, safety and sanitation exists  
52 in the municipality; that the need for housing accommodations has  
53 been or will be increased as a result of the clearance of slums  
54 in other areas, including other portions of the urban renewal  
55 area; that the conditions of blight in the area and the shortage  
56 of decent, safe and sanitary housing cause or contribute to an  
57 increase in and spread of disease and crime, and constitute a  
58 menace to the public health, safety, morals, or welfare; and that  
59 the acquisition of the area for residential uses is an integral  
60 part of and essential to the program of the municipality.

61 (2) If it is to be developed for nonresidential uses, the local  
62 governing body shall determine that such nonresidential uses are  
63 necessary and appropriate to facilitate the proper growth and

64 development of the community in accordance with sound planning  
65 standards and local community objectives. The acquisition may  
66 require the exercise of governmental action, as provided in this  
67 Act, because of defective or unusual conditions of title, diver-  
68 sity of ownership, tax delinquency, improper subdivisions, outmoded  
69 street patterns, deterioration of site, economic disuse, unsuitable  
70 topography or faulty lot layouts, or because of the need for the  
71 correlation of the area with other areas of a municipality by  
72 streets and modern traffic requirements, or any combination of such  
73 factors or other conditions which retard development of the area.

74 5. An urban renewal program may be modified at any time:  
75 Provided, that if modified after the lease or sale by the  
76 municipality of real property in the urban renewal project area,  
77 such modification may be conditioned upon such approval of the  
78 owner, lessee or successor in interest as the municipality may  
79 deem advisable, and in any event such modification shall be subject  
80 to such rights at law or in equity as a lessee or purchaser, or  
81 his successor or successors in interest, may be entitled to assert.

82 6. Upon the approval by a municipality of an urban renewal  
83 program or of any modification thereof, such program or modifica-  
84 tion shall be deemed to be in full force and effect for the  
85 respective urban renewal area, and the municipality may then  
86 cause such program or modification to be carried out in accord-  
87 ance with its terms.

88 7. Notwithstanding any other provisions of this Act, where the  
89 local governing body certifies that an area is in need of redevel-  
90 opment or rehabilitation as a result of a flood, fire, hurricane,  
91 earthquake, storm, or other catastrophe respecting which the  
92 governor of the state has certified the need for disaster assist-

93   ance under Public Law 875, Eighty-first Congress, or other federal  
94   law, the local governing body may approve an urban renewal program  
95   and an urban renewal project with respect to such area without regard  
96   to the provisions of subsection four (4) of this section and without  
97   regard to provisions of this section requiring a general plan for  
98   the municipality and a public hearing on the urban renewal  
99   project.

1    Sec. 6. Every municipality shall have all the powers  
2    necessary or convenient to carry out and effectuate the purposes  
3    and provisions of this Act, including the following powers in  
4    addition to others herein granted.

5    1. To undertake and carry out urban renewal projects within  
6    its area of operation; and to make and execute contracts and other  
7    instruments necessary or convenient to the exercise of its powers  
8    under this Act; and to disseminate slum clearance and urban renewal  
9    information.

10   2. To arrange or contract for the furnishing or repair by  
11   any person of services, privileges, works, streets, roads, public  
12   utilities or other facilities for or in connection with an urban  
13   renewal project; to install, construct, and reconstruct streets,  
14   utilities, parks, playgrounds, and other public improvements;  
15   and to agree to any conditions, that it may deem reasonable and  
16   appropriate, attached to federal financial assistance and imposed  
17   pursuant to federal law relating to the determination of prevailing  
18   salaries or wages or compliance with labor standards, in the under-  
19   taking or carrying out of an urban renewal project; and to include  
20   in any contract let in connection with such a project, provisions  
21   to fulfill such of said conditions as it may deem reasonable and  
22   appropriate.

23 3. Within its area of operation, to enter into any building  
24 or property in any urban renewal area in order to make inspections,  
25 surveys, appraisals, soundings or test borings, and to obtain an  
26 order for this purpose from a court of competent jurisdiction in  
27 the event entry is denied or resisted; to acquire by purchase,  
28 lease, option, gift, grant, bequest, devise, eminent domain or other-  
29 wise, any real property, or personal property for administrative  
30 purposes, together with any improvements thereon, to hold, improve,  
31 clear or prepare for redevelopment any such property; to mortgage,  
32 pledge, hypothecate or otherwise encumber or dispose of any real  
33 property; to insure or provide for the issuance of any real or  
34 personal property or operations of the municipality against any  
35 risks or hazards, including the power to pay premiums on any such  
36 insurance; and to enter into any contracts necessary to effectuate  
37 the purposes of this Act: Provided, however, that no statutory  
38 provision with respect to the acquisition, clearance or disposition  
39 of property by public bodies shall resist a municipality or other  
40 public body exercising powers hereunder in the exercise of such  
41 functions with respect to an urban renewal project, unless the  
42 legislature shall specifically so state.

43 4. To invest any urban renewal project funds held in reserves  
44 or sinking funds, or any such funds not required for immediate  
45 disbursement, in property or securities in which savings banks  
46 may legally invest funds subject to their control; to redeem such  
47 bonds as have been issued pursuant to section nine (9) of this  
48 Act at the redemption price established therein, or to purchase  
49 such bonds at less than redemption price, all such bonds so  
50 redeemed or purchased to be cancelled.

51 5. To borrow money and to apply for and accept advances, loans,



52 grants, contributions and any other form of financial assistance  
53 from the federal government, the state, county, or other public  
54 body, or from any sources, public or private, for the purposes  
55 of this Act, and to give such security as may be required, and to  
56 enter into and carry out contracts in connection therewith. A  
57 municipality may include in any contract, for financial assistance  
58 with the federal government for an urban renewal project, such  
59 conditions imposed pursuant to federal laws as the municipality  
60 may deem reasonable and appropriate and which are not inconsistent  
61 with the purposes of the Act.

62 6. Within its area of operation, to make or have made all  
63 surveys and planning necessary to the carrying out of the purposes  
64 of this Act, and to contract with any person in making and carrying  
65 out of such planning, and to adopt or approve, modify and amend  
66 such planning. Such planning may include, without limitation:

- 67 a. A general plan for the locality as a whole;
- 68 b. Urban renewal programs;
- 69 c. Preliminary programs outlining urban renewal activities  
70 for neighborhoods to embrace two or more urban renewal areas;
- 71 d. Planning for carrying out a program of voluntary or  
72 compulsory repair and rehabilitation of buildings and improvements;
- 73 e. Planning for the enforcement of state and local laws, codes  
74 and regulations relating to the use of land and the use and  
75 occupancy of buildings and improvements and to the compulsory  
76 repair, rehabilitation, demolition, or removal of buildings and  
77 improvements.

78 f. Appraisals, title searches, surveys, studies, and other  
79 planning and work necessary to prepare for the undertaking of  
80 urban renewal projects. The municipality is authorized to develop,

81 test, and report methods and techniques, and carry out demonstra-  
82 tions and other activities, for the prevention and the elimination  
83 of slums and urban blight and to apply for, except and utilize  
84 grants of funds from the federal government for such purposes.

85 7. To plan for the relocation of persons, including families,  
86 business concerns and others, displaced by an urban renewal  
87 project, and to make relocation payments to or with respect to  
88 such persons for moving expenses and losses of property for which  
89 reimbursement or compensation is not otherwise made, including the  
90 making of such payments financed by the federal government.

91 8. To appropriate such funds and make such expenditures as  
92 may be necessary to carry out the purposes of this Act, and to levy  
93 taxes and assessments for such purposes; to zone or rezone any part  
94 of the municipality or make exceptions from building regulations;  
95 and to enter into agreements, respecting action to be taken by  
96 such municipality pursuant to any of the powers granted by this  
97 Act, with an urban renewal agency vested with urban renewal project  
98 powers under section fourteen (14) of this Act, which agreements  
99 may extend over any period, notwithstanding any provision of rule  
100 of law to the contrary.

101 9. To close, vacate, plan or replan streets, roads, sidewalks,  
102 ways or other places; and to plan or replan any part of the  
103 municipality.

104 10. Within its area of operation, to organize, coordinate and  
105 direct the administration of the provisions of this Act as they  
106 apply to such municipality in order that the objective of remedying  
107 slum and blighted areas, and preventing the causes thereof, within  
108 such municipality, may be most effectively promoted and achieved;  
109 and to establish such new office or offices of the municipality,

110 or to reorganize existing offices, in order to carry out such  
111 purpose most effectively.

112 11. To exercise all or any part of combination of powers  
113 herein granted.

114 12. To approve urban renewal building plans.

115 13. To sell and convey real property in furtherance of an  
116 urban renewal program.

1 Sec. 7. A municipality shall have the right to acquire by  
2 condemnation any interest in real property, including a fee simple  
3 title thereto, which it may deem necessary for or in connection  
4 with an urban renewal project under this Act. A municipality may  
5 exercise the power of eminent domain in the manner provided in  
6 chapter four hundred seventy-two (472) of the Code, and acts  
7 amendatory thereof or supplementary thereto, or it may exercise  
8 the power of eminent domain in the manner now or which may be  
9 hereafter provided by any other statutory provisions for the  
10 exercise of the power of eminent domain. Property already devoted  
11 to a public use may be acquired in like manner: Provided, that  
12 no real property belonging to the state, or any political sub-  
13 division thereof, may be acquired without its consent.

1 Sec. 8. 1. A municipality may sell, lease or otherwise trans-  
2 fer real property or any interest therein acquired by it, and may  
3 enter into contracts for such purposes, in an urban renewal area  
4 for residential, recreational, commercial, industrial or other  
5 uses, or for public use, subject to such covenants, conditions  
6 and restrictions, including covenants running with the land, as  
7 it may deem to be necessary or desirable to assist in preventing  
8 the development or spread of future slums or blighted areas, or  
9 to otherwise carry out the purposes of this Act: Provided, that

10 such sale, lease, other transfer, or retention, and any agreement  
11 relating thereto, may be made only after the approval of the urban  
12 renewal program by the local governing body. The purchasers or  
13 lessees and their successors and assigns shall be obligated to  
14 devote such real property only to the uses specified in the urban  
15 renewal program, and they may be obligated to comply with such  
16 other requirements as the municipality may determine to be in the  
17 public interest, including the obligation to begin within a  
18 reasonable time any improvements on such real property required  
19 by the urban renewal program. Such real property or interest shall  
20 be sold, leased, otherwise transferred, or retained at not less  
21 than its fair value for uses in accordance with the urban renewal  
22 program. In determining the fair value of real property for uses  
23 in accordance with the urban renewal program, a municipality shall  
24 take into account and give consideration to: The uses provided in  
25 such program; the restrictions upon, and the covenants, conditions  
26 and obligations assumed by the purchaser or lessee or by the  
27 municipality retaining the property; and the objectives of such  
28 program for the prevention of the recurrence of slum or blighted  
29 areas. The municipality in any instrument of conveyance to a  
30 private purchaser or lessee may provide that such purchaser or  
31 lessee shall be without power to sell, lease or otherwise transfer  
32 the real property, without the prior written consent of the munici-  
33 pality, until he has completed the construction of any or all  
34 improvements which he has obligated himself to construct thereon.  
35 Real property acquired by a municipality which, in accordance  
36 with the provisions of the urban renewal program, is to be  
37 transferred, shall be transferred as rapidly as feasible in the  
38 public interest, consistent with the carrying out of the provisions

39 of the urban renewal program. Any contract for such transfer under  
40 the urban renewal program, or such part or parts of such contract  
41 or program as the municipality may determine, may be recorded in  
42 the land records of the county in such manner as to afford actual  
43 or constructive notice thereof.

44 2. A municipality may dispose of real property in an urban  
45 renewal area to private persons only under such reasonable  
46 competitive bidding procedures as it shall prescribe, or as here-  
47 inafter provided in this subsection. A municipality, by public  
48 notice by publication in a newspaper having a general circulation  
49 in the community, thirty days prior to the execution of any contract  
50 to sell, lease or otherwise transfer real property, and prior to  
51 the delivery of any instrument of conveyance with respect thereto  
52 under the provisions of this section, may invite proposals from and  
53 make available all pertinent information to any persons interested  
54 in undertaking to redevelop or rehabilitate an urban renewal area,  
55 or any part thereof. Such notice shall identify the area, or por-  
56 tion thereof, and shall state that proposals shall be made by those  
57 interested within thirty (30) days after the date of publication  
58 of said notice, and that such further information as is available  
59 may be obtained at such office as shall be designated in said  
60 notice. The municipality shall consider all such redevelopment  
61 or rehabilitation proposals, and the financial and legal ability  
62 of the persons making such proposals to carry them out, and the  
63 municipality may negotiate with any persons for proposals con-  
64 the purchase, lease or other transfer of any real property acquired  
65 by the municipality in the urban renewal area. The municipality  
66 may accept such proposal as it deems to be in the public interest  
67 and in furtherance of the purposes of this Act: Provided, that

68 a notification of intention to accept such proposal shall be filed  
69 with the governing body not less than thirty (30) days prior to  
70 any such acceptance. Thereafter, the municipality may execute such  
71 contract in accordance with the provisions of subsection one (1)  
72 of this Act and may deliver deeds, leases and other instruments  
73 and may take all steps necessary to effectuate such contract.

74 3. A municipality may temporarily operate and maintain real  
75 property acquired in an urban renewal area pending the disposition  
76 of the property as authorized in this Act, without regard to the  
77 provisions of subsection one (1) above, for such uses and purposes  
78 as may be deemed desirable, even though not in conformity with the  
79 urban renewal program.

1 Sec. 9. 1. A municipality shall have power to issue bonds  
2 from time to time in its discretion to finance the undertaking of  
3 any urban renewal project under this Act, including, without  
4 limiting the generality thereof, the payment of principal and  
5 interest upon any advances for surveys and planning; and the  
6 municipality shall also have power to issue refunding bonds for  
7 the payment or retirement of such bonds previously issued by it.  
8 Such bonds shall be made payable, as to both principal and interest,  
9 solely from the income, proceeds, revenues, and funds of the munici-  
10 pality derived from or held in connection with its undertaking and  
11 carrying out of urban renewal projects under this Act: Provided,  
12 however, that payment of such bonds, both as to principal and  
13 interest, may be further secured by a pledge of any loan, grant,  
14 or contribution from the federal government or other source, in  
15 aid of any urban renewal projects of the municipality under this  
16 Act, and by a mortgage of any such urban renewal projects, or any  
17 part thereof, title to which is in the municipality.

18     2. Bonds issued under this section shall not constitute an  
19 indebtedness within the meaning of any constitutional or statutory  
20 debt limitation or restriction, and shall not be subject to the  
21 provisions of any other law or charter relating to the author-  
22 ization, issuance or sale of bonds. Bonds issued under the provi-  
23 sions of this Act are declared to be issued for an essential public  
24 and governmental purpose and, together with interest thereon and  
25 income therefrom, shall be exempted from all taxes.

26     3. Bonds issued under this section shall be authorized by  
27 resolution or ordinance of the local governing body and may be  
28 issued in one or more series and shall bear such date or dates,  
29 be payable upon demand or mature at such time or times, bear  
30 interest at such rate or rates not exceeding six per centum (6% )  
31 per annum, be in such denomination or denominations, be in such  
32 form either coupon or registered, carry such conversion or regis-  
33 tration privileges, have such rank or priority, be executed in  
34 such manner, be payable in such medium of payment, at such place  
35 or places, and be subject to such terms of redemption, with or  
36 without premium, be secured in such manner, and have such other  
37 characteristics, as may be provided by such resolution or trust  
38 indenture or mortgage issued pursuant thereto.

39     4. Such bonds may be sold at not less than par at public  
40 sales held after notice published prior to such sale in a newspaper  
41 having a general circulation in the area of operation and in such  
42 other medium of publication as the municipality may determine, or  
43 may be exchanged for other bonds on the basis of par: Provided,  
44 that such bonds may be sold to the federal government at private  
45 sale at not less than par, and, in the event less than all of the  
46 authorized principal amount of such bonds is sold to the federal

47 government, the balance may be sold at private sale at not less  
48 than par at an interest cost to the municipality of not to exceed  
49 the interest cost to the municipality of the portion of the bonds  
50 sold to the federal government.

51 5. In case any of the public officials of the municipality  
52 whose signatures appear on any bonds or coupons issued under  
53 this Act shall cease to be such officials before the delivery of  
54 such bonds, such signatures shall, nevertheless, be valid and  
55 sufficient for all purposes, the same as if such officials had  
56 remained in office until such delivery. Any provision of any law  
57 to the contrary notwithstanding, any bonds issued pursuant to this  
58 Act shall be fully negotiable.

59 6. In any suit, action or proceeding involving the validity  
60 or enforceability of any bond issued under this Act or the security  
61 therefor, any such bond reciting in substance that it has been  
62 issued by the municipality in connection with an urban renewal  
63 project, as herein defined, shall be conclusively deemed to have  
64 been issued for such purpose and such project shall be conclusively  
65 deemed to have been planned, located and carried out in accordance  
66 with the provisions of this Act.

1 Sec. 10. All banks, trust companies, bankers, savings banks  
2 and institutions, building and loan associations, savings and  
3 loan associations, investment companies and other persons carrying  
4 on a banking or investment business; all insurance companies,  
5 insurance associations, and other persons carrying on an insurance  
6 business; and all executors, administrators, curators, trustees,  
7 and other fiduciaries, may legally invest any sinking funds,  
8 moneys, or other funds belonging to them or within their control  
9 in any bonds or other obligations issued by a municipality



10 pursuant to this Act, or those issued by any urban renewal  
11 agency vested with urban renewal project powers under section  
12 fourteen (14) of this Act: Provided, that such bonds and other  
13 obligations shall be secured by an agreement between the issuer  
14 and the federal government, in which the issuer agrees to borrow  
15 from the federal government and the federal government agrees to  
16 lend to the issuer, prior to the maturity of such bonds or other  
17 obligations, moneys in an amount which, together with any other  
18 moneys irrevocably committed to the payment of interest on such  
19 bonds or other obligations, will suffice to pay the principal of  
20 such bonds or other obligations with interest to maturity thereon,  
21 which moneys under the terms of said agreement are required to  
22 be used for the purpose of paying the principal of and the interest  
23 on such bonds or other obligations at their maturity. Such bonds  
24 and other obligations shall be authorized security for all public  
25 deposits. It is the purpose of this section to authorize any  
26 persons, political subdivisions and officers, public or private,  
27 to use any funds owned or controlled by them for the purchase of  
28 any such bonds or other obligations. Nothing contained in this  
29 section with regard to legal investments shall be construed as  
30 relieving any person of any duty of exercising reasonable care  
31 in selecting securities.

1 Sec. 11. 1. All property of a municipality, including funds,  
2 owned or held by it for the purposes of this Act shall be exempt  
3 from levy and sale by virtue of an execution; and no execution  
4 or other judicial process shall issue against the same; nor shall  
5 judgment against a municipality be a charge or lien upon such  
6 property: Provided, however, that the provisions of this section  
7 shall not apply to or limit the right of obligees to pursue

8 any remedies for the enforcement of any pledge or lien given  
9 pursuant to this Act by a municipality on its rents, fees,  
10 grants or revenues from urban renewal projects.

11 2. The property of a municipality, acquired or held for the  
12 purposes of this Act, is declared to be public property used for  
13 essential public and governmental purposes, and such property  
14 shall be exempt from all taxes of the municipality, the county,  
15 the state, or any political subdivision thereof: Provided, that  
16 such tax exemption shall terminate when the municipality sells,  
17 leases or otherwise disposes of such property in an urban renewal  
18 area to a purchaser or lessee which is not a public body entitled  
19 to tax exemption with respect to such property.

1 Sec. 12. 1. For the purpose of aiding in the planning, under-  
2 taking or carrying out of an urban renewal project located within  
3 the area in which it is authorized to act, any public body may,  
4 upon such terms, with or without consideration, as it may determine:

5 a. Dedicate, sell, convey or lease any of its interest in  
6 any property, or grant easements, licenses or other rights or  
7 privileges therein to a municipality;

8 b. Incur the entire expense of any public improvements made  
9 by such body in exercising the powers granted in this  
10 section;

11 c. Do any and all things necessary to aid or cooperate in  
12 the planning or carrying out of an urban renewal program;

13 d. Lend, grant or contribute funds to a municipality;

14 e. Enter into agreements, which may extend over any period,  
15 notwithstanding any provision or rule of law to the contrary,  
16 with a municipality or other public body respecting action to  
17 be taken pursuant to any of the powers granted by this Act.

18 including the furnishing of funds or other assistance in  
19 connection with an urban renewal project ;

20 f. Cause public buildings and public facilities, including  
21 parks, playgrounds, and recreational, community, educational,  
22 water, sewer or drainage facilities, or any other works which  
23 it is otherwise empowered to undertake to be furnished ;

24 g. Furnish, dedicate, close, vacate, pave, install, grade,  
25 regrade, plan or replan streets, roads, sidewalks, ways or other  
26 places ;

27 h. Plan or replan, zone or rezone any part of the public  
28 body or make exceptions from building regulations ;

29 i. Cause administrative and other services to be furnished  
30 to the municipality.

31 2. If at any time title to or possession of any urban renewal  
32 project is held by any public body or governmental agency, including  
33 any agency or instrumentality of the United States of America, other  
34 than the municipality, which is authorized by law to engage in  
35 the undertaking, carrying out, or administration of urban renewal  
36 projects, the provisions of the agreements referred to in this  
37 section shall inure to the benefit of and may be enforced by such  
38 public body or governmental agency. As used in this subsection,  
39 the term "municipality" shall also include an urban renewal agency  
40 vested with all of the urban renewal project powers pursuant to  
41 the provisions of section fourteen (14) of this Act.

42 3. Any sale, conveyance, lease or agreement provided for in  
43 this section may be made by a public body without appraisal,  
44 public notice, advertisement or public bidding.

45 4. For the purpose of aiding in the planning, undertaking  
46 or carrying out of an urban renewal project of an urban renewal

47 agency, a municipality may, in addition to its other powers and  
48 upon such terms, with or without consideration, as it may  
49 determine, do and perform any or all of the actions or things  
50 which, by the provisions of subsection one (1) of this section,  
51 a public body is authorized to do or perform, including the  
52 furnishing of financial and other assistance.

53 5. For the purposes of this section, or for the purpose of  
54 aiding in the planning, undertaking or carrying out of an urban  
55 renewal project of a municipality, such municipality may, in  
56 addition to any authority to issue bonds pursuant to section  
57 nine (9) of this Act, issue and sell its general obligation  
58 bonds. Any bonds issued by a municipality pursuant to this  
59 section shall be issued in the manner and within the limitations  
60 prescribed by the laws of this state for the issuance and author-  
61 ization of bonds by such municipality for public purposes generally.

1 Sec. 13. Any instrument executed by a municipality and pur-  
2 porting to convey any right, title or interest in any property  
3 under this Act shall be conclusively presumed to have been executed  
4 in compliance with the provisions of this Act insofar as title or  
5 other interest of any bona fide purchaser, lessees or transferees  
6 of such property is concerned.

1 Sec. 14. 1. A municipality may itself exercise its urban  
2 renewal project powers, as herein defined, or may, if the local  
3 governing body by resolution determines such action to be in the  
4 public interest, elect to have such powers exercised by the  
5 urban renewal agency, if one exists or is subsequently established  
6 in the community. In the event the local governing body makes  
7 such determination, the urban renewal agency shall be vested  
8 with all of the urban renewal project powers in the same manner

9 as though all such powers were conferred on such agency instead  
10 of the municipality. If the local governing body does not elect  
11 to make such determination, the municipality in its discretion  
12 may exercise its urban renewal project powers through a board  
13 or commissioner, or through such officers of the municipality  
14 as the local governing body may by resolution determine.

15 2. As used in this section, the term "urban renewal project  
16 powers" shall include the rights, powers, functions and duties  
17 of a municipality under this Act, including the following:

18 a. The power to determine an area to be a slum or blighted  
19 area or combination thereof and to designate such area as  
20 appropriate for an urban renewal project and to hold any public  
21 hearings required with respect thereto;

22 b. The power to approve urban renewal building programs and  
23 modifications thereof;

24 c. The power to establish a general program for the locality  
25 as a whole;

26 d. The power to formulate a workable program under section  
27 three (3) of this Act;

28 e. The power to make the determinations and findings provided  
29 for in section four (4), and section five (5), subsection four (4),  
30 of this Act;

31 f. The power to issue general obligation bonds;

32 g. The power to appropriate funds, to levy taxes and assess-  
33 ments, and to exercise other powers provided for in section  
34 six (6), subsection eight (8), of this Act.

1 Sec. 15. 1. There is hereby created in each municipality a  
2 public body corporate and politic to be known as the "urban renewal  
3 agency" of the municipality: Provided, that such agency shall not

4 transact any business or exercise its powers hereunder until or  
5 unless the local governing body has made the finding prescribed  
6 in section four (4) of this Act, and has elected to have the urban  
7 renewal project powers exercised by an urban renewal agency as  
8 provided in section fourteen (14) of this Act.

9 2. If the urban renewal agency is authorized to transact  
10 business and exercise powers hereunder, the mayor, by and with  
11 the advice and consent of the local governing body, shall appoint  
12 a board of commissioners of the urban renewal agency, which board  
13 shall consist of five commissioners. The term of office of each  
14 such commissioner shall be one year.

15 3. A commissioner shall receive no compensation for his  
16 services, but he shall be entitled to the necessary expenses,  
17 including traveling expenses, incurred in the discharge of his  
18 duties. Each commissioner shall hold office until his successor  
19 has been appointed and has qualified. A certificate of the  
20 appointment or reappointment of any commissioner shall be  
21 filed with the clerk of the municipality, and such certificate  
22 shall be conclusive evidence of the due and proper appointment  
23 of such commissioner.

24 4. The powers of an urban renewal agency shall be exercised  
25 by the commissioners thereof. A majority of the commissioners  
26 shall constitute a quorum for the purpose of conducting business  
27 and exercising the powers of the agency, and for all other purposes.  
28 Action may be taken by the agency upon a vote of a majority of the  
29 commissioners present, unless in any case the by-laws shall require  
30 a larger number. Any persons may be appointed as commissioners  
31 if they reside within the area of operation of the agency, which  
32 area shall be co-terminous with the area of operation of the munici-

33 pality, and if they are otherwise eligible for such appointments  
34 under this Act.

35 5. The mayor shall designate a chairman and vice-chairman  
36 from among the commissioners. An agency may employ an executive  
37 director, technical experts and such other agents and employees,  
38 permanent and temporary, as it may require, and the agency may  
39 determine their qualifications, duties and compensation. For  
40 such legal service as it may require, an agency may employ or  
41 retain its own counsel and legal staff. An agency authorized to  
42 transact business and exercise powers under this Act shall file,  
43 with the local governing body, on or before March 31 of each  
44 year, a report of its activities for the preceding calendar year,  
45 which report shall include a complete financial statement setting  
46 forth its assets, liabilities, income and operating expense as  
47 of the end of such calendar year. At the time of filing the report,  
48 the agency shall publish in a newspaper of general circulation in  
49 the community a notice to the effect that such report has been  
50 filed with the municipality, and that the report is available for  
51 inspection during business hours in the office of the city clerk  
52 and in the office of the agency.

53 6. For inefficiency, or neglect of duty, or misconduct in  
54 office, a commissioner may be removed only after a hearing, and  
55 after he shall have been given a copy of the charges at least  
56 ten (10) days prior to such hearing, and after he shall have had  
57 an opportunity to be heard in person or by counsel.

1 Sec. 16. No public official or employee of a municipality,  
2 or board or commission thereof, and no commissioner or employee  
3 of an urban renewal agency, which has been vested by a munici-  
4 pality with urban renewal project powers under section fourteen

5 (14), shall voluntarily acquire any personal interest, direct or  
6 indirect, in any urban renewal project, or in any property included  
7 or planned to be included in any urban renewal project of such  
8 municipality, or in any contract or proposed contract in connection  
9 with such urban renewal project. Where such acquisition is not  
10 voluntary, the interest acquired shall be immediately disclosed  
11 in writing to the local governing body, and such disclosure shall  
12 be entered upon the minutes of the governing body. If any such  
13 official, commissioner or employee presently owns or controls,  
14 or has owned or controlled within the preceding two 2) years, any  
15 interest, direct or indirect, in any property which he knows is  
16 included or planned to be included in an urban renewal project,  
17 he shall immediately disclose this fact in writing to the local  
18 governing body, and such disclosure shall be entered upon the  
19 minutes of the governing body; and any such official, commissioner  
20 or employee shall not participate in any action by the munici-  
21 pality, or board or commission thereof, or urban renewal agency  
22 affecting such property. Any disclosure required to be made by  
23 this section to the local governing body shall concurrently be  
24 made to an urban renewal agency which has been vested with urban  
25 renewal project powers by the municipality pursuant to the  
26 provisions of section fourteen (14) of this Act. No commissioner  
27 or other officer of any urban renewal agency, board or commission  
28 exercising powers pursuant to this Act shall hold any other public  
29 office under the municipality, other than his commissionership or  
30 office with respect to such urban renewal agency, board or com-  
31 mission.  
32 Any violation of the provisions of this section shall constitute  
misconduct in office.



1     Sec. 17. The following terms wherever used or referred to in  
2 this Act, shall have the following meanings, unless a different  
3 meaning is clearly indicated by the context:

4     1. "Agency" or "urban renewal agency" shall mean a public  
5 agency created by section fifteen (15) of this Act.

6     2. "Municipality" shall mean any city or town in the state.

7     3. "Public body" shall mean the state or any political sub-  
8 division thereof.

9     4. "Local governing body" shall mean the council or other  
10 legislative body charged with governing the municipality.

11     5. "Mayor" shall mean the mayor of a municipality, or other  
12 officer or body having the duties customarily imposed upon the  
13 executive head of a municipality.

14     6. "Clerk" shall mean the clerk or other official of the  
15 municipality who is the custodian of the official records of  
16 such municipality.

17     7. "Federal government" shall include the United States of  
18 America or any agency or instrumentality, corporate or otherwise,  
19 of the United States of America.

20     8. "Slum area" shall mean an area in which there is a  
21 predominance of buildings or improvements, whether residential  
22 or non-residential, which: by reason of dilapidation, deteriora-  
23 tion, age, or obsolescence; or by reason of inadequate provision  
24 for ventilation, light, air, sanitation, or open spaces; or by  
25 reason of high density of population and overcrowding; or by  
26 reason of the existence of conditions which endanger life or  
27 property by fire and other causes; or which by any combination of  
28 such factors, is conducive to ill health, transmission of disease,  
29 infant mortality, juvenile delinquency, or crime, and which is

30 detrimental to the public health, safety, morals or welfare.

31 9. "Blighted area" shall mean an area which: by reason of  
32 the presence of a substantial number of slum, deteriorated or  
33 deteriorating structures; or by reason of predominance of defective  
34 or inadequate street layout, or faulty lot layout in relation to  
35 size, adequacy, accessibility or usefulness; or by reason of  
36 insanitary or unsafe conditions, deterioration of site or other  
37 improvements; or by reason of diversity of ownership, or tax or  
38 special assessment delinquency exceeding the fair value of the  
39 land, or defective or unusual conditions of title; or by reason  
40 of the existence of conditions which endanger life or property  
41 by fire and other causes; or which by any combination of such  
42 factors, substantially impairs or arrests the sound growth of  
43 a municipality, retards the provision of housing accommodations,  
44 or constitutes an economic or social liability, and is a menace  
45 to the public health, safety, morals or welfare in its present  
46 condition and use: Provided, that if such blighted area consists  
47 of open land, the conditions contained in the proviso in section  
48 five (5), subsection four (4), shall apply: And provided further,  
49 that any disaster area referred to in section five (5), sub-  
50 section seven (7), shall constitute a "blighted area".

51 10. "Urban renewal project" may include undertakings and  
52 activities of a municipality in an urban renewal area for the  
53 elimination and for the prevention of the development or spread  
54 of slums and blight, and may involve slum clearance and redevelop-  
55 ment in an urban renewal area, or rehabilitation or conservation  
56 in an urban renewal area, or any combination or part thereof  
57 in accordance with an urban renewal program. Such undertakings  
58 and activities may include:

59 a. Acquisition of a slum area or a blighted area or portion  
60 thereof;

61 b. Demolition and removal of buildings and improvements;

62 c. Installation, construction, or reconstruction of streets,  
63 utilities, parks, playgrounds, and other improvements necessary  
64 for carrying out in the urban renewal area the urban renewal  
65 objectives of this Act in accordance with the urban renewal  
66 program;

67 d. Disposition of any property acquired in the urban renewal  
68 area, including sale, initial leasing or retention by the  
69 municipality itself, at its fair value for uses in accordance  
70 with the urban renewal program;

71 e. Carrying out plans for a program of voluntary or compulsory  
72 repair and rehabilitation of buildings or other improvements in  
73 accordance with the urban renewal program;

74 f. Acquisition of any other real property in the urban  
75 renewal area, where necessary to eliminate unhealthful, insanitary  
76 or unsafe conditions, or to lessen density, eliminate obsolete or  
77 other uses detrimental to the public welfare, or otherwise to  
78 remove or prevent the spread of blight or deterioration, or to  
79 provide land for needed public facilities;

80 g. Approval of urban renewal building plan;

81 h. Sale and conveyance of real property in furtherance of  
82 an urban renewal program.

83 11. "Urban renewal area" means a slum area or a blighted area,  
84 or a combination thereof, which the local governing body designates  
85 as appropriate for an urban renewal project.

86 12. "Urban renewal program" means a program, as it exists  
87 from time to time, for an urban renewal project. The program

88 shall:

89 a. Conform to the general program for the municipality as  
90 a whole except as provided in section five (5), subsection seven  
91 (7);

92 b. Be sufficiently complete to indicate such land acquisition,  
93 demolition and removal of structures, redevelopment, improvements,  
94 and rehabilitation as may be proposed to be carried out in the  
95 urban renewal area, and to indicate zoning and planning changes,  
96 if any, land uses, maximum densities, building requirements, and  
97 the program's relationship to definite local objectives respecting  
98 appropriate land uses, improved traffic, public transportation,  
99 public utilities, recreational and community facilities, and  
100 other public improvements.

101 13. "Urban renewal building plan" shall mean a plan for the  
102 construction of buildings for residential or non-residential  
103 use in the furtherance of an urban renewal project.

104 14. "Real property" shall include all lands, including  
105 improvements and fixtures thereon, and property of any nature  
106 appurtenant thereto, or used in connection therewith, and  
107 every estate, interest, right and use, legal or equitable,  
108 therein, including terms for years and liens by way of judgment,  
109 mortgage or otherwise.

110 15. "Bonds" shall mean any bonds, including refunding bonds,  
111 notes, interim certificates, certificates of indebtedness,  
112 debentures or other obligations.

113 16. "Obligee" shall include any bondholder, agents or trustees  
114 for any bondholders, or any lessor demising to the municipality  
115 property used in connection with an urban renewal project, or  
116 any assignee or assignees of such lessor's interest or any part

117 thereof, and the federal government, when it is a party to any  
118 contract with the municipality.

119 17. "Person" shall mean any individual, firm, partnership,  
120 corporation, company, association, joint stock association; and  
121 shall include any trustee, receiver, assignee, or other person  
122 acting in a similar representative capacity for an individual  
123 or such entities.

124 18. "Area of operation" shall mean the area within the corporate  
125 limits of the municipality and the area within five miles of such  
126 limits, except that it shall not include any area which lies  
127 within the territorial boundaries of another incorporated city or  
128 town, unless a resolution shall have been adopted by the governing  
129 body of such other city or town declaring a need therefor.

130 19. "Board" or "commission" shall mean a board, commission,  
131 department, division, office, body or other unit of the munic-  
132 pality.

133 20. "Public officer" shall mean any officer who is in charge  
134 of any department or branch of the government of the municipality  
135 relating to health, fire, building regulations, or to other  
136 activities concerning dwellings in the municipality.

1 Sec. 18. Notwithstanding any other evidence of legislative  
2 intent, it is hereby declared to be the controlling legislative  
3 intent that if any provision of this Act, or the application  
4 thereof to any person or circumstances, is held invalid, the  
5 remainder of the Act and the application of such provision to  
6 persons or circumstances other than those as to which it is  
7 held invalid, shall not be affected thereby.

1 Sec. 19. Insofar as the provisions of this Act may be  
2 inconsistent with the provisions of any other law, the provisions

3 of this Act shall be controlling. The powers conferred by this  
 4 Act shall be in addition and supplemental to the powers conferred  
 5 by any other law.

1 Sec. 20. The powers of municipalities with relation to urban  
 2 renewal building plans are limited to the approval of and entering  
 3 into contracts for the carrying out of such plans, and nothing  
 4 in this Act shall be construed to permit a municipality to under-  
 5 take, or engage in the construction of buildings under an urban  
 6 renewal program.

1 Sec. 21. Nothing in this Act shall be construed to permit any  
 2 municipality to own, lease, or operate any residential or non-  
 3 residential buildings acquired or constructed under the provisions  
 4 of this Act except as provided in subsection three (3) of section  
 5 eight (8) of this Act.

1 Sec. 22. No person shall construct any building upon land  
 2 acquired under the provisions of this Act without first having  
 3 submitted an urban renewal building plan to the municipality  
 4 and having received notice from the municipality that such plan  
 5 has been approved.

HOUSE FILE 250

S F 184

1 Amend House File 250 as follows:  
 2 Strike out Section 17, subsection nine (9), and insert in lieu  
 3 thereof the following:  
 4 9 "Blighted area" shall mean an area which by reason of  
 5 the presence of a substantial number of slum, deteriorated or  
 6 deteriorating structures, predominance of defective or inade-  
 7 quate street layout, faulty lot layout in relation to size,  
 8 adequacy, accessibility or usefulness, insanitary or unsafe  
 9 conditions, deterioration of site or other improvements,  
 10 diversity of ownership, tax or special assessment delinquency  
 11 exceeding the fair value of the land, defective or unusual  
 12 conditions of title, or the existence of conditions which en-  
 13 danger life or property by fire and other causes, or any com-  
 14 bination of such factors, substantially impairs or arrests the  
 15 sound growth of a municipality, retards the provision of hous-  
 16 ing accommodations or constitutes an economic or social habil-  
 17 ity and is a menace to the public health, safety, morals, or  
 18 welfare in its present condition and use: Provided, that if  
 19 such blighted area consists of open land, the conditions con-  
 20 tained in the proviso in section five (5), subsection four (4),  
 21 shall apply. And provided further, that any disaster area  
 22 referred to in section five (5), subsection seven (7), shall  
 23 constitute a "blighted area".

SENATE FILE 184

- 1 Amend Senate File 184 as follows:
- 2 Amend section 3 by striking from line
- 3 19 the word "building" and by striking all of subsection
- 4 5.
- 5 Amend section 5 by striking the word "program" in
- 6 lines 6, 7, 10, 17, 18, 20, 22, 24, 26, 37, 45 (2 places),
- 7 74, 88 (2 places), 86 and 94 and inserting in lieu thereof the
- 8 word "plan".
- 9 Amend section 6 by striking the word "programs" in
- 10 lines 68 and 69 and inserting in lieu thereof the word "plans".
- 11 Further amend section 6 by striking the word "building"
- 12 in line 114.
- 13 Further amend section 6 by striking the word "program"
- 14 in line 116 and inserting in lieu thereof the word "project"
- 15 Amend section 8 by striking the word "program" in
- 16 lines 12, 15, 19, 22, 23, 25, 28, 36, 39, 40, 41 and 79 and
- 17 inserting in lieu thereof the word "plan".
- 18 Amend section 12 by striking the word "program"
- 19 in line 12 and inserting in lieu thereof the word "project".
- 20 Amend section 14 by striking the words "building
- 21 programs" in line 22 and inserting in lieu thereof the word
- 22 "plans".
- 23 Further amend section 14 by striking the word
- 24 "program" in line 24 and inserting in lieu thereof the word
- 25 "plan".
- 26 Amend section 17 by striking the word "or"
- 27 following the semicolon in lines 23, 24, and 25.
- 28 Further amend section 17 by striking the
- 29 word "program" in lines 66, 70, 73, 86 (2 places), 87
- 30 and 89 and insert in lieu thereof the word "plan".
- 31 Further amend section 17 by striking line 80.
- 32 Further amend section 17 by striking the letter
- 33 "h" in line 81 and inserting in lieu thereof the letter "g".
- 34 Further amend section 17 by striking the word
- 35 "program" in line 82 and inserting in lieu thereof the
- 36 word "project".
- 37 Further amend section 17 by striking the word
- 38 "program's" in line 97 and inserting in lieu thereof the
- 39 word "plans".
- 40 Further amend section 17 by striking subsection
- 41 thirteen (13).
- 42 Further amend section 17 as follows:
- 43 Subsection 14 shall become subsection 18
- 44 Subsection 15 shall become subsection 14
- 45 Subsection 16 shall become subsection 15
- 46 Subsection 17 shall become subsection 16
- 47 Subsection 18 shall become subsection 17
- 48 Subsection 19 shall become subsection 18
- 49 Subsection 20 shall become subsection 19.

*Same as  
Report Amend-  
ment.*

*adopted  
3-1*

Filed  
February 28, 1957.

By O'MALLEY.

SENATE FILE 184

1 Amend Sec. 7 of Senate File 184 by striking the period (.) at  
2 the end of the section and adding the following:  
3 “, provided further that no real property or any right of  
4 interest therein owned by any public utility company, pipe line  
5 company, railway or transportation company vested with the right  
6 of eminent domain under the laws of this state, shall be acquired  
7 without the consent of such company, or without first securing, after  
8 due notice to such company and after hearing, a certificate  
9 authorizing condemnation of such property from the board, commis-  
10 or body having the authority to grant a certificate authorizing  
11 condemnation.”

Filed  
March 12, 1957.

By NOLAN and TATE.

*adopted*  
*3-14*



SENAE FILE 184

*adopted  
3-1*

1 Amend Senate File 184 as follows:  
 2 1. Strike sections 20, 21, and 22 and insert in lieu  
 3 thereof the following:  
 4 "Sec. 20. Nothing in this Act shall be construed to permit  
 5 any municipalities to construct, own, lease, or operate any  
 6 housing, or residential buildings of any type, except as provided  
 7 in subsection 3 of Section 8 of this Act." Schroeder 2-18  
 8 2. Strike Section 17, subsection 9, and insert in lieu  
 9 thereof the following:  
 10 " 'Blighted area' shall mean an area which by reason of the  
 11 presence of a substantial number of slum, deteriorated or deter-  
 12 iorating structures, predominance of defective or inadequate  
 13 street layout, faulty lot layout in relation to size, adequacy,  
 14 accessibility or usefulness, insanity or unsafe conditions,  
 15 deterioration of site or other improvements, diversity of owner-  
 16 ship, tax or special assessment delinquency exceeding the fair  
 17 value of the land, defective or unusual conditions of title, or  
 18 the existence of conditions which endanger life or property by  
 19 fire and other causes, or any combination of such factors,  
 20 substantially impairs or arrests the sound growth of a municipality,  
 21 retards the provision of housing accommodations or constitutes an  
 22 economic or social liability and is a menace to the public health,  
 23 safety, morals, or welfare in its present condition and use;  
 24 Provided, that if such blighted area consists of open land,  
 25 the conditions contained in the proviso in section five (5),  
 26 subsection four (4), shall apply: And provided further, that any  
 27 disaster area referred to in section five (5), subsection seven  
 28 (7), shall constitute a 'blighted area'."

*adopted  
3-1*

Filed  
February 18, 1957.

By SCHROEDER.

HOUSE FILE 250 *S F 18-*

1 Strike out subsection nine (9) of Section 17, and insert in lieu  
 2 thereof the following:  
 3 9. "Blighted area" shall mean an area which by reason of the  
 4 presence of a substantial number of slum, deteriorated or deterior-  
 5 ating  
 6 structures, predominance of defective or inadequate street layout,  
 7 faulty lot layout in relation to size, adequacy, accessibility or  
 8 usefulness, insanitary or unsafe conditions, deterioration of site or  
 9 other improvements, diversity of ownership, tax or special assessment  
 10 delinquency exceeding the fair value of the land, defective or unusual  
 11 conditions of title, or the existence of conditions which endanger life  
 12 or property by fire and other causes, or any combination of such  
 13 factors, substantially impairs or arrests the sound growth of a  
 14 municipality, retards the provision of housing accommodations or  
 15 constitutes an economic or social liability and is a menace to the  
 16 public health, safety, morals, or welfare in its present condition  
 17 and use: Provided, that if such blighted area consists of open land,  
 18 the conditions contained in the proviso in section five (5), subsection  
 19 four (4), shall apply: And provided further, that any disaster area  
 20 referred to in section five (5), subsection seven (7), shall constitute  
 21 a "blighted area". Cities & Towns - 2-19  
 22 Strike out Sections 20, 21, and 22 and insert in lieu  
 23 thereof the following  
 24 Sec. 20. Nothing in this Act shall be construed to permit  
 25 any municipalities to construct, own, lease, or operate any housing  
 26 or residential buildings of any type, except as provided in subsection  
 27 three  
 28 (3) of Section eight (8) of this Act.

Filed  
February 19, 1957.

COMMITTEE ON CITIES AND TOWNS

House 2

HOUSE FILE 250

- 1 (1) Amend section three (3) by striking from line nineteen the
- 2 word "building" and by striking all of subsection five (5).
- 3 (2) Amend section five (5) by striking the word "program" in
- 4 lines 6, 7, 10, 17, 18, 20, 22, 24, 37, 45 (two places),
- 5 74, 83 (two places), 86 and 94 and inserting in lieu
- 6 thereof the word "plan".
- 7 (3) Amend section six (6) by striking the word "programs" in
- 8 lines 68 and 69 and inserting in lieu thereof the word
- 9 "plans".
- 10 Further amend section six (6) by striking the word "build-
- 11 ing" in line 114.
- 12 Further amend section six (6) by striking the word "pro-
- 13 gram" in line 116 and inserting in lieu thereof the word
- 14 "project".
- 15 (4) Amend section eight (8) by striking the word "program" in
- 16 lines 12, 15, 19, 22, 23, 25, 28, 36, 39, 40, 41 and 79
- 17 and inserting in lieu thereof the word "plan".
- 18 (5) Amend section twelve (12) by striking the word "program"
- 19 in line 12 and inserting in lieu thereof the word "project".
- 20 (6) Amend section fourteen (14) by striking the words "building
- 21 programs" in line 22 and inserting in lieu thereof the word
- 22 "plans".
- 23 Further amend section fourteen (14) by striking the word
- 24 "program" in line 24 and inserting in lieu thereof the word
- 25 "plan".
- 26 (7) Amend section seventeen (17) by striking the word "or"
- 27 following the semicolon in lines 23, 24 and 25.
- 28 Further amend section seventeen (17) by striking the word
- 29 "program" in lines 66, 70, 73, 86 (two places), 87 and 89
- 30 and inserting in lieu thereof the word "plan".
- 31 Further amend section seventeen (17) by striking line 80.
- 32 Further amend section seventeen (17) by striking the letter
- 33 "h" in line 81 and inserting in lieu thereof the letter "g".
- 34 Further amend section seventeen (17) by striking the word
- 35 "program" in line 82 and inserting in lieu thereof the word
- 36 "project".
- 37 Further amend section seventeen (17) by striking the word
- 38 "program's" in line 97 and inserting in lieu thereof the word
- 39 "plan's".
- 40 Further amend section seventeen (17) by striking subsection
- 41 thirteen (13).
- 42 Further amend section seventeen (17) as follows:
- 43 Subsection fourteen (14) shall become subsection thirteen (13)
- 44 Subsection fifteen (15) shall become subsection fourteen (14)
- 45 Subsection sixteen (16) shall become subsection fifteen (15)
- 46 Subsection seventeen (17) shall become subsection sixteen (16)
- 47 Subsection eighteen (18) shall become subsection seventeen (17)
- 48 Subsection nineteen (19) shall become subsection eighteen (18)
- 49 Subsection twenty (20) shall become subsection nineteen (19)

Filed  
February 22, 1957.

REPPERT of Polk.

HOUSE FILE 250 S F 184

- 1 Amend House File 250 as follows:
- 2 Strike out sections twenty (20), twenty-one (21), and
- 3 twenty-two (22) and insert in lieu thereof the following:
- 4 Sec. 20. Nothing in this Act shall be construed to permit
- 5 any municipalities to construct, own, lease, or operate any
- 6 housing, or residential buildings of any type, except as pro-
- 7 vided in subsection three (3) of section eight (8) of this
- 8 Act.

Filed  
February 15, 1957.

REPPERT of Polk.