

February 22, 1961.
Passed on File.

Senate File 335
By COMMITTEE ON
CITIES & TOWNS.

Passed Senate, Date 4-5-61 Passed House, Date 4-6-61
Vote: Ayes 47 Nays 1 Note: Ayes 69 Nays 31

Approved 4-11-61
Senate Concurred: 4/10/61 = 44-0

A BILL FOR

An Act to define trees infected with Dutch elm disease as a nuisance when located in cities and towns and to provide for the abatement of same.

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

1 Section 1. Section six hundred fifty-seven point two
2 (657.2), Code 1958, is hereby amended by striking all of
3 subsection eight (8) and inserting in lieu thereof the
4 following:
5 "8. Cotton-bearing cottonwood trees, all other cotton-
6 bearing poplar trees, and trees infected with Dutch elm disease
7 in cities and towns."

1 Sec. 2. Section three hundred sixty-eight point three
2 (368.3), Code 1958, is amended by adding the following new
3 paragraph:

4 "In any city or town the council may order the owner,
5 occupant, or person in charge of any property to remove at
6 his own expense any tree infected with Dutch elm disease
7 found thereon, by serving such person with written notice,
8 stating some reasonable time within which such removal
9 shall be made, and if such person fails to comply with
10 said order, the council may cause the same to be
11 executed and the cost assessed against the property."

HOUSE FILE 335

*Last
4/6*

- 1 Amend Senate File 335 by adding a new section as follows:
- 2 Section three hundred thirty-two point three (332.3), Code
- 3 1958, is amended by adding a new subsection as follows:
- 4 "In any county the board may order the owner, occupant, or
- 5 person in charge of any property located outside of a city or
- 6 town to remove at his own expense any tree infected with Dutch
- 7 elm disease found thereon, by serving such person with written
- 8 notice, stating some reasonable time within which such removal
- 9 shall be made, and if such person fails to comply with said
- 10 order, the board may cause the same to be executed and the cost
- 11 assessed against the property."
- 12 Further amend said Senate File 335 by striking all of line
- 13 seven (7) from section one (1).
- 14 Further amend the title by adding after the words "cities
- 15 and towns" the words "or counties".

Filed and lost
April 6, 1961.

DUFFY of Dubuque.

SENATE FILE 335

- 1 Amend Senate File 335 by striking all of section one (1) and
- 2 inserting in lieu thereof the following:
- 3 Section 1. Section six hundred fifty-seven point two (657.2),
- 4 Code 1958, is hereby amended by adding thereto the following sub-
- 5 section:
- 6 Trees infected with Dutch elm disease in cities and towns.

Filed and adopted
April 6, 1961.

GOODE of Davis.

Senate Concurred 4/10/61