

March 20, 1963.

Senate File 400

Passed on File. *Calendar 3/20* By CITIES AND TOWNS COMMITTEE.

Passed Senate, Date *3-29-63*

Passed House, Date *4-29-63*

Vote: Ayes *47* Nays *0*

Vote: Ayes *161* Nays *0*

Approved *May 7, 1963*

Cities & Towns 4/2
Pass 4/5

*Passed
per House
amendment
5/1, 46-0*

amended vote 4/29
ays 99 nays 0

A BILL FOR

An Act to amend section three hundred ninety-one point twenty-four (391.24) and section three hundred ninety-one point fifty-three (391.53), Code 1962, to require mailing of the notices provided for in said code sections to all property owners whose property is subject to assessment.

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

1 Section 1. Section three hundred ninety-one point twenty-
2 four (391.24), Code 1962, is amended by adding at the end of
3 said section the following:

4 "The clerk shall send by certified mail to each property
5 owner, whose property is subject to assessment for said
6 improvement, as shown by the records in the office of the
7 county auditor, a copy of the above mentioned notice, said
8 mailing to be made at least two weeks prior to the date fixed
9 for the hearing on said resolution. Failure to receive such
10 mailed notice shall not constitute a defense to the special
11 assessment."

1 Sec. 2. Section three hundred ninety-one point fifty-three
2 (391.53), Code 1962, is amended by adding at the end of said
3 section the following:

4 "The clerk shall send by certified mail to each property
5 owner, whose property is subject to assessment for said
6 improvement, as shown by the records in the office of the
7 county auditor, a copy of the above mentioned notice, said
8 mailing to be made on or before the first publication of

9 said notice. Failure to receive such mailed notice shall
10 not constitute a defense to the special assessment."

SENATE FILE 400

Amend Senate File 400 as follows:

- 2 1. Amend the title by striking the word "and" in line 2
- 3 and inserting in lieu thereof a comma (,).
- 4 2. Further amend the title by adding the following
- 5 before the word "Code" in line 3: "three hundred ninety-
- 6 one A point thirteen (391A.13) and three hundred ninety-
- 7 one A point twenty-five (391A.25)".
- 8 3. By adding thereto the following sections:
- 9 "Sec. 3. Section three hundred ninety-one A point
- 10 thirteen (391A.13), Code 1962, is amended by striking
- 11 all of the last paragraph of said section and by adding
- 12 in lieu thereof the following:
- 13 "The clerk shall send by certified mail to each
- 14 property owner, whose property is subject to assessment
- 15 for said improvement, as shown by the records in the
- 16 office of the county auditor, a copy of the above men-
- 17 tioned notice, said mailing to be made on or before the
- 18 first publication of said notice. Failure to receive
- 19 such mailed notice shall not constitute a defense to the
- 20 special assessment."
- 21 "Sec. 4. Section three hundred ninety-one A point
- 22 twenty-five (391A.25), Code 1962, is amended by adding
- 23 at the end of subsection five (5), line eight (8), the
- 24 following:
- 25 "The clerk shall also send by certified mail to each
- 26 property owner, whose property is subject to assessment
- 27 for said improvement, as shown by the records in the
- 28 office of the county auditor, a copy of said notice,
- 29 said mailing to be made on or before the first publica-
- 30 tion of said notice. Failure to receive such mailed
- 31 notice shall not constitute a defense to the special
- 32 assessment."

*filed 4/29
Doran
adopted 3/29*

*adopted
3/29*

Filed
March 27, 1963.

By DORAN.

SENATE FILE 400

- 1 Amend the title to Senate File 400 by striking all after the
- 2 word "Act" and inserting in lieu thereof the following: "relating
- 3 to proceedings for construction of street improvements and sewers
- 4 in cities and towns; relating to the mailing of certain notices
- 5 to property owners whose property is subject to assessment for
- 6 such construction; and amending various sections in chapters
- 7 three hundred ninety-one (391), three hundred ninety-one A (391A)
- 8 and four hundred seventeen (417), Code 1962, relating thereto.

*Senate
concerned
5/1*

Filed and adopted ✓
April 29, 1963.

DENMAN of Polk.