

March 13, 1967  
Cities & Towns *Pass 4-11*  
*Governmental Subdivisions 4-18, Pass 4-27*

House File 410

By THORSEN, SHAW, McCRAY,  
BATTLES, SORG, KOCH and  
WOOD  
(Jepsen, Shaff, Frommelt,  
Mills, Cassidy, Condon,  
Walsh, Lamborn, Ely, Rigler,  
Reppert, Burns, Stanley  
and Messerly)

Passed House, Date 4-14-67

Passed Senate, Date 5-8-67

Vote: Ayes 101 Nays 0

Vote: Ayes 47 Nays 0

*Passed  
House as  
amended by  
Senate 5-26-67  
98-0*

## A BILL FOR

*motion to reconsider  
filed 5-9-67. Passed  
5-19-67. Senate as amended  
5-19-67, 46-0*

An Act relating to the establishment of sewer connection charges or fees.

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

- 1 Section 1. Chapter three hundred ninety-three (393),
- 2 Code 1966, is hereby amended by adding thereto the following
- 3 new section:
- 4 "Cities and towns may by ordinance establish sewer
- 5 connection charges or fees to be paid to such city or town
- 6 by every person, firm, or corporation whose premises will be
- 7 served by connecting to the municipal sanitary utilities. The
- 8 charges or fees shall be due and payable when a sewer connection
- 9 application is filed. No sewer connection charge or fee
- 10 established by said ordinance shall exceed the equitable
- 11 portion of the total original cost to the city or town of
- 12 providing the sanitary utilities to the property less any part
- 13 of said cost which has been previously assessed or paid to the
- 14 city or town under chapters three hundred ninety-one (391),
- 15 three hundred ninety-one A (391A), or four hundred seventeen
- 16 (417) of the Code. Any and all charges or fees collected
- 17 under this Act shall be remitted to the city or town treasurer.

18 All moneys collected shall be kept in a separate and distinct  
19 part of the sanitation fund, to be known as the 'Sewer  
20 Connection Fund', and shall only be disbursed and used for  
21 the purposes authorized in section three hundred ninety-three  
22 point seven (393.7) of the Code."

1 Sec. 2. This Act being deemed of immediate importance  
2 shall take effect and be in full force from and after its  
3 publication in the Bettendorf News, a newspaper published in  
4 Bettendorf, Iowa, and in The Cedar Rapids Gazette, a newspaper  
5 published in Cedar Rapids, Iowa."

#### EXPLANATION

The purpose of this bill is to permit cities and towns to establish reasonable sewer connection charges to recover that portion of the costs of making sewer facilities available to a property which has not been previously paid by the property owner. Funds received from such connection charges can only be used for payment of costs incurred in developing or maintaining sanitary utilities and would thereby result in decreasing the amount of general property taxes required for these purposes and placing the costs on those receiving direct benefits.

1 Amend House File 410 as follows:  
2 1. By inserting in line seven (7) of section one (1) after  
3 the word, "utilities" the following:  
4 ", but only if such sanitary utilities were provided by  
5 the levy of a special assessment under chapter three hundred  
6 ninety-one (391), three hundred ninety-one A (391A), or four  
7 hundred seventeen (417) of the Code".  
8 2. By striking in line ten (10) of section one (1) the  
9 word, "equitable", all of line eleven (11), and the words, "pro-  
10 viding the sanitary utilities" in line twelve (12) and by in-  
11 sserting in lieu thereof the following:  
12 "amount of the original special assessment".

Filed *Adopted 5-19*  
May 10, 1967

By GAUDINEER.

1 Amend section one (1) of House File 410 as follows:  
2 1. By inserting after the word "establish" in line  
3 four (4) the words "a schedule of reasonable and equitable".  
4 2. By inserting after the period (.) in line seven (7)  
5 the following new sentence: "Such ordinance shall be  
6 certified by the city of town and filed of record in the  
7 office of the county recorder of the county wherein the  
8 city or town is situated."  
9 3. By deleting from line twelve (12) the word "providing"  
10 and inserting in lieu thereof the word "extending".  
11 4. By inserting after the words "to the" in line twelve  
12 (12) the words "near vicinity of the".

Filed - *Adopted 5-19*  
May 15, 1967

*House concurred*  
*5-26-67*

By GAUDINEER and JEPSEN

1 Amend House File 410 as follows:  
2 1. Amend the title by inserting in line one (1) after the  
3 word "sewer" the words "and water".  
4 2. Further amend House File 410 by adding the following  
5 sections following section one (1):  
6 Sec. 2. Section three hundred sixty-eight point twenty-  
7 six (368.26), Code 1966, is hereby amended by striking all of  
8 lines one (1) through six (6), inclusive, of subsection two  
9 (2) and by inserting in lieu thereof the following:  
10 "They shall have power to provide sewer and water systems  
11 and sewage disposal plants and water plants and to regulate  
12 sewage disposal plants and water plants and to regulate sewer  
13 and water connections to private property. They may order  
14 sanitary toilet facilities and connections to be installed by  
15 any property owner whose property abuts on a sewer and water  
16 line and the aban-".  
17 Sec. 3. Section three hundred ninety-four point one  
18 (394.1), Code 1966, is hereby amended by inserting in line  
19 twelve (12) after the word "also" the word "waterworks,".  
20 Sec. 4. Section three hundred ninety-four point three  
21 (394.3), Code 1966, is hereby amended by inserting in line  
22 five (5) after the word "sewage," the word "waterworks,".  
23 3. Further amend by renumbering the remaining section in  
24 conformity with this amendment.

Filed and ruled non-germane  
May 19, 1967

By REICHARDT