

February 5, 1969

HOUSE FILE 184

Cities and Towns, *Pass as amended 3-10*
See " " " 3-26 Pass 4-22
1-13, Date 4-2

By LIPSKY

Passed House, Date *3-21-69* Passed Senate, Date *4-9-70*

Vote: Ayes *26* Nays *25* Vote: Ayes *46* Nays *0*

Approved

A BILL FOR

1 An Act to amend section three hundred sixty-eight point three
2 (368.3), Code 1966, relating to removal of dead or diseased
3 trees, and the assessments of costs therefor.

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

5 Section 1. Section three hundred sixty-eight point three
6 (368.3), Code 1966, is hereby amended as follows:

7 1. By striking from line ten (10) after the word "owner"
8 the words ", occupant, or person in charge" and inserting in
9 lieu thereof the words "or contract purchaser".

10 2. By inserting in line twelve (12) after the word "tree"
11 the words "or dead wood".

12 3. By inserting after the word "disease" in line twelve
13 (12) thereof the following: ", phloem necrosis, oak wilt, and
14 other infectious diseases of trees".

15 4. By striking from line thirteen (13) the word "thereon"
16 and inserting in lieu thereof the words "upon said property".

17 5. By inserting in line fourteen (14) after the word "notice"
18 the words "either personally or in the manner of service of
19 original notice".

20 6. By adding to the end thereof the following:

21 "The costs so assessed may be paid in annual installments
22 not to exceed ten, said payments to be made in the manner set
23 forth in section three hundred ninety-one point sixty (391.60)
24 of the Code. The date that the assessment is certified by the
25 council to the county auditor shall be considered the date of

- 1 levy and interest thereon shall be computed at the rate of six
- 2 percent per annum. The municipality may issue special assess-
- 3 ment bonds for the assessments so made."

EXPLANATION OF HOUSE FILE 184

Private property owners must now pay for removal of dead or diseased elm trees in one year regardless of the number of trees or cost involved. Legislation is sought which would authorize the issuance of special assessment bonds and permit property owners a period of years within which to make such payments.

1 Amend House File 184 as follows:

2 1. Amend the title by striking all after the word "Act" and by
3 inserting in lieu thereof the following:

4 "relating to removal of dead or diseased trees, the assessments
5 of costs and issuance of special assessment bonds therefor."

6 2. Amend section one (1) by striking all of lines twenty-one (21)
7 through twenty-five (25) on page one (1) and lines one (1) through
8 three (3) on page two (2) and by inserting therein the following:

9 "The costs so assessed may be paid in annual installments not to
10 exceed ten in number, payable in the manner and bearing interest as
11 provided in section three hundred ninety-one point sixty (391.60). The
12 assessment may be made, at the discretion of the council, as provided
13 in this section and section three hundred sixty-eight point four (368.4)
14 or by the procedures set out in chapter three hundred ninety-one (391),
15 not inconsistent with this section. The municipality may issue special
16 assessment bonds termed 'tree sanitation bonds' under the provisions
17 of
18 chapter three hundred ninety-six (396) relating to bonds and certifi-
19 cates
for street and sewer improvement bonds, in anticipation of the defer-
red
payment of assessments levied therefor."

Filed - *a dept'd 3-21*
March 10, 1969

COMMITTEE ON CITIES AND TOWNS
RAY C. CUNNINGHAM, Chairman