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By COMMITTEE ON JUDICIARY

Passed Senate, Date 4-25-74 (1601) Passed House, Date 4-30-74 (2229)
Vote: Ayes 46 Nays 0 Vote: Ayes 88 Nays 5
Approved 5-9-74

A BILL FOR

1 An Act to legalize and validate procedures of Iowa Great
2 Lakes Sanitary District, the County Auditors and County
3 Treasurers of Dickinson County, Iowa in connection with
4 Annexations with municipalities in the Iowa Great Lakes
5 Sanitary District, since the creation of said District.

6 WHEREAS, at the time of the creation of Iowa Great Lakes
7 Sanitary District in 1949, pursuant to the Provisions of
8 Chapter 358 Code of Iowa, all of the then areas within the
9 boundaries of the following incorporated towns in Dickinson
10 County, Iowa were included in said District, to-wit Spirit
11 Lake, Orleans, Arnolds Park, Okoboji, West Okoboji, Milford
12 and Wahpeton; and,

13 WHEREAS, since the creation of said District some of the
14 said towns have extended their boundaries by annexation for
15 purposes of providing to the areas so annexed certain utili-
16 ties and benefits not previously enjoyed by the areas so
17 annexed; and,

18 WHEREAS, some of said annexed areas had, prior thereto
19 or thereafter, upon petition to the Board of Trustees of said
20 District, been annexed to and became a part of said Sanitary
21 District, and some of said areas were not formally by order
22 upon petition included in said District by its Board of
23 Trustees; and,

24 WHEREAS, the Trustees of the Sanitary District, the County
25 Auditors and County Treasurers of Dickinson County have treated

1 all of the areas annexed to the incorporated towns as being
2 a part of and included in the boundaries of said District
3 and in each instance applied the Sanitary Sewer District Tax
4 mileage to said areas; and,

5 WHEREAS, the owners of the properties so annexed have at
6 all times since said annexations enjoyed the benefits and
7 services provided by said Sanitary District; and,

8 WHEREAS, some doubts have arisen concerning the status
9 of said annexed areas, that is whether or not they are within
10 the boundaries of said Sanitary District and concerning the
11 validity of the taxation of said areas for services of the
12 District, and all such doubts should once and for all be put
13 at rest; NOW THEREFORE,

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

15 Section 1. That in all cases where areas have been
16 annexed to the incorporated towns of Spirit Lake, Orleans,
17 Arnolds Park, Okoboji, West Okoboji, Milford and Wahpeton
18 since the formation of the Iowa Great Lakes Sanitary Sewer
19 District, said areas so annexed shall be forever treated as
20 being within and forming a part of said Sanitary District.

21 Sec. 2. That all procedures of the Trustees of Iowa Great
22 Lakes Sanitary District, the County Auditors and County
23 Treasurers of Dickinson County, Iowa in considering and
24 treating said annexed areas as a part of the Sanitary Dis-
25 trict, be and the same are hereby ratified and validated;

26 Sec. 3. That the imposition of the Sanitary Sewer levy
27 of taxes upon said areas so annexed be and the same are hereby
28 ratified, validated and legalized, and that all such areas
29 shall hereafter be considered and treated in all respects
30 as though formal Petition to the Sanitary District for annexa-
31 tion had been filed and approved by its Board of Trustees
32 and thereupon an Order so annexing to the District been for-
33 mally entered and recorded.

34 EXPLANATION

35 This bill legalizes the treatment of annexed areas to

1 the towns of Spirit Lake, Orleans, Arnolds Park, Okoboji,
2 West Okoboji, Milford, and Wahpeton, Iowa as part of the Iowa
3 Great Lakes Sanitary Sewer District. It legalizes proce-
4 dures affecting such treatment including the levy of taxes,
5 and provides that in the future all such areas shall be con-
6 sidered part of the sanitary district in the same manner as
7 if proper annexation petitions have been filed and approved
8 by the board of trustees.

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*Proof of Publication S-1146 4/2
The Milford Mail 3/7*

S-2654

- 1 Amend Senate File 1356 as follows:
- 2 Page 2, line 4, by striking the word "mileage"
- 3 and inserting in lieu thereof the word "millage".
- 4 Page 2, line 19, by striking the word "forever".
- 5 Page 2, line 19, by adding after the word "as"
- 6 the words "having been and hereafter".

S-2654 Filed *adopted 4/25* By BERGMAN
April 3, 1974

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