

Amended Cities 3/5/79

Reprinted 3/79

*Amend to Sec. 386.10
3/22 (p. 956)*

FILED FEB 14 1979

SENATE FILE 252

BY COMMITTEE ON CITIES
Appr. and 2/12 (p. 453)

Passed Senate, Date 3-26-79 (p. 956) Passed House, Date _____

Vote: Ayes 46 Nays 0 Vote: Ayes _____ Nays _____

Approved May 7, 1979

A BILL FOR

1 An Act relating to a requirement for municipal improvement
2 districts.

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

4

SENATE FILE 252

S-3261

- 1 Amend Senate File 252 as follows:
- 2 1. Page 1, by inserting after line 8 the following:
- 3 "Sec. 2. Section three hundred eighty-six point
- 4 ten (386.10), Code 1979, is amended to read as follows:
- 5 386.10 DEBT SERVICE FUND. A city shall establish
- 6 a self-supported municipal improvement district debt
- 7 service fund whenever any self-supported municipal
- 8 improvement district bonds are issued and outstanding,
- 9 other than revenue bonds, and shall certify taxes
- 10 to be levied against all of the property in the
- 11 district for the debt service fund in the amount
- 12 necessary to pay interest as it becomes due and the
- 13 amount necessary to pay, or to create a sinking fund
- 14 to pay, the principal at maturity of all self-supported
- 15 municipal improvement district bonds as authorized
- 16 in section 386.11, issued by the city. However,
- 17 parcels of property which are assessed as residential
- 18 property for property tax purposes at the time of
- 19 the issuance of the bonds are exempt from the tax
- 20 levied under this section until such time as the
- 21 parcels are no longer assessed as residential
- 22 property."
- 23 2. By renumbering the remaining section as required
- 24 by this amendment.
- 25 3. Amend the title, line 1, by striking the words
- 26 "a requirement for".

S-3261 FILED *Adopted 3/26*
MARCH 22, 1979 *(p. 956)*

BY COMMITTEE ON CITIES
DAVID READINGER, CHAIRPERSON

1 Section 1. Section three hundred eighty-six point three
2 (386.3), subsection one (1), paragraph a, Code 1979, is amended
3 to read as follows:

4 a. Be comprised of contiguous property wholly within the
5 boundaries of the city. A self-supported municipal improvement
6 district shall ~~not~~ be comprised only of any property in
7 districts which are zoned for ~~any-use-other-than~~ commercial
8 or industrial uses.

9 Sec. 2. This Act is effective January first following
10 its enactment.

11 EXPLANATION

12 The existing language in section 386.3 states that a self-
13 supported municipal improvement district is limited to property
14 in zoning districts which are exclusively commercial or
15 industrial. However, most commercial districts also permit
16 residential uses. This bill changes the requirement to provide
17 that a self-supported municipal improvement district must
18 contain only property in districts which are zoned for
19 commercial or industrial uses, which would not exclude
20 districts where residential uses are also permitted.

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SENATE FILE 252

By COMMITTEE ON CITIES

Substituted for H.F. 667

(AS AMENDED AND PASSED BY THE SENATE MARCH 26, 1979)

Passed Senate, Date 4-3-79 (p.1348) Passed House, Date 4-5-79 (p.1352)

Vote: Ayes 47 Nays 0 Vote: Ayes 92 Nays 8

Approved May 7, 1979

A BILL FOR

* 1 An Act relating to municipal improvement districts.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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~~_____~~ = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. Section three hundred eighty-six point three
2 (386.3), subsection one (1), paragraph a, Code 1979, is amended
3 to read as follows:

4 a. Be comprised of contiguous property wholly within the
5 boundaries of the city. A self-supported municipal improvement
6 district shall not be comprised only of any property in
7 districts which are zoned for ~~any-use-other-than~~ commercial
8 or industrial uses.

9 Sec. 2. Section three hundred eighty-six point ten
10 (386.10), Code 1979, is amended to read as follows:

11 386.10 DEBT SERVICE FUND. A city shall establish a self-
12 supported municipal improvement district debt service fund
13 whenever any self-supported municipal improvement district
14 bonds are issued and outstanding, other than revenue bonds,
15 and shall certify taxes to be levied against all of the
16 property in the district for the debt service fund in the
17 amount necessary to pay interest as it becomes due and the
18 amount necessary to pay, or to create a sinking fund to pay,
19 the principal at maturity of all self-supported municipal
20 improvement district bonds as authorized in section 386.11,
21 issued by the city. However, parcels of property which are
22 assessed as residential property for property tax purposes
23 at the time of the issuance of the bonds are exempt from the
24 tax levied under this section until such time as the parcels
25 are no longer assessed as residential property.

26 Sec. 3. This Act is effective January first following
27 its enactment.

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SF 252
jb/slc/20

SENATE FILE 252

H-3740

1 Amend Senate File 252 as follows:

2 1. Page 1, by inserting after line 8 the
3 following:

4 "Sec. . . . Section three hundred eighty-six point
5 three (386.3), subsection nine (9), Code 1979, is
6 amended to read as follows:

7 9. At any time prior to adoption of an ordinance
8 establishing a district, the entire matter of
9 establishing such district shall be withdrawn from
10 council consideration if a petition objecting to
11 establishing such district is filed with its clerk
12 containing the signatures of at least forty percent
13 of all owners of property within the proposed district
14 or signatures which together represent ownership of
15 property with an assessed value of forty percent or
16 more of the assessed value of all property within the
17 proposed district.

18 Sec. . . . Section three hundred eighty-six point
19 four (386.4), subsection four (4), Code 1979, is
20 amended to read as follows:

21 4. At any time prior to council amendment of the
22 ordinance creating the district, the entire matter of
23 amending such ordinance shall be withdrawn from council
24 consideration if a petition objecting to amending such
25 ordinance is filed with its clerk containing either the
26 signatures of at least forty percent of all owners of
27 property within the district and all property proposed
28 to be included or signatures which together represent
29 ownership of property with an assessed value of forty
30 percent or more of the assessed value of all property
31 within the district and all property proposed to be
32 included."

H-3740 FILED
APRIL 5, 1979
ADOPTED (f 135'2)

BY PAVICH of Pottawattamie

HOUSE AMENDMENT TO SENATE FILE 252

S-3410

1 Amend Senate File 252 as follows:

2 1. Page 1, by inserting after line 8 the following:

3 "Sec. ____ . Section three hundred eighty-six point
4 three (386.3), subsection nine (9), Code 1979, is
5 amended to read as follows:

6 9. At any time prior to adoption of an ordinance
7 establishing a district, the entire matter of
8 establishing such district shall be withdrawn from
9 council consideration if a petition objecting to
10 establishing such district is filed with its clerk
11 containing the signatures of at least forty percent
12 of all owners of property within the proposed district
13 or signatures which together represent ownership of
14 property with an assessed value of forty percent or
15 more of the assessed value of all property within
16 the proposed district.

17 Sec. ____ . Section three hundred eighty-six point
18 four (386.4), subsection four (4), Code 1979, is
19 amended to read as follows:

20 4. At any time prior to council amendment of the
21 ordinance creating the district, the entire matter
22 of amending such ordinance shall be withdrawn from
23 council consideration if a petition objecting to
24 amending such ordinance is filed with its clerk
25 containing either the signatures of at least forty
26 percent of all owners of property within the district
27 and all property proposed to be included or signatures
28 which together represent ownership of property with
29 an assessed value of forty percent or more of the
30 assessed value of all property within the district
31 and all property proposed to be included."

S-3410 FILED
APRIL 5, 1979

RECEIVED FROM THE HOUSE

Senate concurred 4/23 (7 1979)

SENATE FILE 252

AN ACT

RELATING TO MUNICIPAL IMPROVEMENT DISTRICTS.

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

Section 1. Section three hundred eighty-six point three (386.3), subsection one (1), paragraph a, Code 1979, is amended to read as follows:

a. Be comprised of contiguous property wholly within the boundaries of the city. A self-supported municipal improvement district shall ~~not~~ be comprised only of any property in districts which are zoned for ~~any-use-ether-than~~ commercial or industrial uses.

Sec. 2. Section three hundred eighty-six point three (386.3), subsection nine (9), Code 1979, is amended to read as follows:

9. At any time prior to adoption of an ordinance establishing a district, the entire matter of establishing such district shall be withdrawn from council consideration if a petition objecting to establishing such district is filed with its clerk containing the signatures of at least forty percent of all owners of property within the proposed district or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the proposed district.

Sec. 3. Section three hundred eighty-six point four (386.4), subsection four (4), Code 1979, is amended to read as follows:

4. At any time prior to council amendment of the ordinance creating the district, the entire matter of amending such ordinance shall be withdrawn from council consideration if a petition objecting to amending such ordinance is filed with its clerk containing either the signatures of at least forty percent of all owners of property within the district and all property proposed to be included or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the district and all property proposed to be included.

Sec. 4. Section three hundred eighty-six point ten (386.10), Code 1979, is amended to read as follows:

386.10 DRBT SERVICE FUND. A city shall establish a self-supported municipal improvement district debt service fund whenever any self-supported municipal improvement district bonds are issued and outstanding, other than revenue bonds, and shall certify taxes to be levied against all of the property in the district for the debt service fund in the amount necessary to pay interest as it becomes due and the

amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all self-supported municipal improvement district bonds as authorized in section 386.11, issued by the city. However, parcels of property which are assessed as residential property for property tax purposes at the time of the issuance of the bonds are exempt from the tax levied under this section until such time as the parcels are no longer assessed as residential property.

Sec. 5. This Act is effective January first following its enactment.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 252, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved May 7, 1979

ROBERT D. RAY
Governor