

FILED MAR 2 1980

SENATE FILE 2269
BY COMMITTEE ON LOCAL
GOVERNMENT

(formerly SSB 2116)

Passed Senate, Date 3/25/80 Passed House, Date 3/30/80
Vote: Ayes 41 Nays 1 Vote: Ayes 75 Nays 0
Approved April 12, 1980 (p. 1480)

A BILL FOR

1 An Act relating to the establishment of a drainage subdistrict.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2269

1 Section 1. Section 455.70, Code 1987, is amended to read
2 as follows:

3 455.70 ~~SUBDRAINAGE-DISTRICT~~ DRAINAGE SUBDISTRICT.

4 After the establishment of a drainage district, any a
5 person owning land within the district which has been assessed
6 for benefits, but which is separated from the main ditch,
7 drain, or watercourse for which it has been so assessed, by
8 the land of others, who desires a ditch or drain constructed
9 from the person's land across the land of such the others in
10 order to connect with the main ditch, drain, or watercourse,
11 and is unable to agree with the intervening owners on the
12 terms and conditions on which the person may enter upon their
13 lands and cause to be constructed such the connecting drain or
14 ditch, may file a petition for the establishment of a
15 subdistrict and shall give notice of the filing of the
16 petition to each person whose land may be included in the
17 subdistrict or may be assessed in the subdistrict in the
18 manner provided by sections 455.20 through 455.24 for the
19 notice of the hearing and have proofs on file before the
20 appointment of the engineer, if one is appointed. Thereafter,
21 the proceedings shall be the same as provided for the
22 establishment of an original district.

23 EXPLANATION

24 This bill provides that after a landowner has filed a
25 petition to establish a drainage subdistrict, notice of the
26 petition and the time for hearing must be sent to all affected
27 property owners by ordinary mail and publish once in some
28 newspaper of general circulation published in the county.

29 SIMILAR TO SSB 2116 (LSB 8099SC)

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SSB 2116

LOCAL GOVERNMENT: Taylor, Chair; C. Miller and Wells

SSB 2116

LOCAL GOVERNMENT

Now TAYLOR, CH.

C. MILLER

WELLS

SENATE FILE 2269

BY (PROPOSED COMMITTEE ON LOCAL GOVERNMENT BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the establishment of a drainage subdistrict.

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

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1 Section 1. Section 455.70, Code 1987, is amended to read
2 as follows:

3 455.70 ~~SUBDRAINAGE-DISTRICT~~ DRAINAGE SUBDISTRICT.

4 After the establishment of a drainage district, any a
5 person owning land within the district which has been assessed
6 for benefits, but which is separated from the main ditch,
7 drain, or watercourse for which it has been so assessed, by
8 the land of others, who desires a ditch or drain constructed
9 from the person's land across the land of ~~such~~ the others in
10 order to connect with the main ditch, drain, or watercourse,
11 and is unable to agree with the intervening owners on the
12 terms and conditions on which the person may enter upon their
13 lands and cause to be constructed ~~such~~ the connecting drain or
14 ditch, may file a petition for the establishment of a
15 subdistrict ~~and shall give notice of the filing of the~~
16 ~~petition in the manner provided by sections 455-20 through~~
17 ~~455-24 for the notice of the hearing and have proofs on file~~
18 ~~before the appointment of the engineer.~~ Thereafter, the
19 proceedings shall be the same as provided for the
20 establishment of an original district.

21 EXPLANATION

22 This bill provides that after a landowner has filed a
23 petition to establish a drainage subdistrict, the procedures
24 for establishing the subdistrict are the same as for
25 establishing an original district.

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the proceedings shall be the same as provided for the establishment of an original district.

SENATE FILE 2269

AN ACT

RELATING TO THE ESTABLISHMENT OF A DRAINAGE SUBDISTRICT.

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

Section 1. Section 455.70, Code 1987, is amended to read as follows:

455.70 ~~SUBDRAINAGE-RESTRICTED~~ DRAINAGE SUBDISTRICT.

After the establishment of a drainage district, any a person owning land within the district which has been assessed for benefits, but which is separated from the main ditch, drain, or watercourse for which it has been so assessed, by the land of others, who desires a ditch or drain constructed from the person's land across the land of such the others in order to connect with the main ditch, drain, or watercourse, and is unable to agree with the intervening owners on the terms and conditions on which the person may enter upon their lands and cause to be constructed such the connecting drain or ditch, may file a petition for the establishment of a subdistrict and shall give notice of the filing of the petition to each person whose land may be included in the subdistrict or may be assessed in the subdistrict in the manner provided by sections 455.20 through 455.24 for the notice of the hearing and have proofs on file before the appointment of the engineer, if one is appointed. Thereafter,

.....
JO ANN ZIMMERMAN
President of the Senate

.....
DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2269, Seventy-second General Assembly.

.....
JOHN P. DWYER
Secretary of the Senate

Approved April 12, 1988

.....
TERRY E. BRANSTAD
Governor

SF 2269