

LAWS
OF THE
TWENTY-THIRD GENERAL ASSEMBLY
OF THE
STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE THIRTEENTH DAY OF JANUARY, AND ENDED ON THE FIFTEENTH DAY OF APRIL, A. D. 1890, IN THE FORTY-FOURTH YEAR OF THE STATE.

PART I—GENERAL LAWS.

CHAPTER I.

EXTENSION OF CITY LIMITS.

AN ACT to extend the Limits of Cities and for Other Purposes Inci- s. F. 172.
dent Thereto.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the boundaries of all cities in this state, which had, by the state census of 1885, a population of thirty thousand or more, are hereby extended two and one half miles in each direction, from the present boundaries of said cities. Such extension being so made, as to leave the boundaries

Boundaries of certain cities extended.

hereby created in a perfected rectangle; that all the territory embraced within said extended boundaries, whether the same is contained in cities, incorporated towns or otherwise, shall be and become a part of the city and subject to its jurisdiction and authority; and that the corporate character of any annexed territory within the extended boundaries herein specified, shall cease and determine; provided, that if any one of such outside boundary lines, as extended by this act, shall come within two miles of a county line, such boundary line on such side shall extend only one and one half miles beyond the present boundary line of such city; provided, further, that nothing herein contained shall affect the rights of existing creditors, or present boundaries or existing conditions of school districts.

County lines.

Territory annexed exempt from former city debt.

SEC. 2. That all present indebtedness of each city, the boundaries of which are extended by this act, shall be paid by the city as it existed before the passage of this act; that none of the real estate or property embraced within the annexed territory, as created hereby, shall ever be subjected, in any way, to the payment of any part of said indebtedness, but the same shall be paid by a tax to be levied by the city authorities exclusively upon property subject to taxation within the city, as it existed prior to the passage hereof. That the indebtedness, if any, of each city or incorporated town, lying within the limits of the annexed territory shall be paid by such city or incorporated town; and the city council is hereby authorized and it is hereby made its duty to provide for the levy of taxes upon the property subject to taxation within the limits of such city or incorporated town, for the payment of the indebtedness of such city or incorporated town, and to continue such tax from year to year so long as the same shall be necessary for the payment of such indebtedness, and in no event shall property subject to taxation outside of the limits of such city or incorporated town be subjected to any tax for the payment of the present indebtedness thereof. Provided, however, that if any such cities or incorporated towns included within such annexed territory, now own any real estate, its present fair market value shall be credited upon its debt, and the amount of such credit shall be assumed and paid by the city as extended by the provisions of this act, and all property belonging to all incorporated cities or towns affected by this act, shall become the property of the city as enlarged hereby.

Ten acre lots in certain cases not taxable for city purposes.

SEC. 3. No lands included within said extended limits of such city, which shall not have been laid off into lots of ten acres or less, or which shall not subsequently be divided into parcels of ten acres or less, by the extension of streets and alleys or otherwise, and which shall also in good faith be occupied and used for agricultural or horticultural purposes, shall be taxable for any city purpose, except that they may be sub-

jected to a road tax to the same extent as though they were outside the said extended limits, and which said road tax shall be paid into the city treasury.

Sec. 4. That, for the purpose of reorganizing the wards of said cities, the boundaries of which are extended by this act, the governor shall appoint six persons in each of such cities, and residents thereof respectively, three from each of the two principal political parties; who are hereby constituted commissioners for the purpose of re-districting such cities respectively into wards; said commissioners shall meet as a board, within six days from the taking effect of this act, having given at least three days' notice in one or more of the daily newspapers published in said city or cities, of the time and place of their meeting, and shall hear the arguments and suggestions of all who may desire to appear before them, as to the proper boundaries of the new wards, and after hearing such arguments, to such an extent as such commissioners may determine, they shall lay off the said city or cities, whose boundaries are hereby extended, into the same number of wards, as the city or cities may now have, with such boundaries as they shall prescribe; but said wards shall be laid off in a rectangular form as nearly as practicable, and making, so far as practicable, boundaries conform to the center of streets and with straight lines and so as to give each ward, as nearly as practicable, an equal population; said commissioners shall file and have recorded, the original order defining the boundaries of said wards, with the clerk of the district court of the county wherein the city is situate, and a copy or duplicate thereof, with the clerk of the city council, which he shall record. They shall also within the ten days after the appointment, for the purpose of holding the first election, hereinafter provided for, divide said wards into voting precincts, and appoint registers in each voting precinct to prepare and revise the lists of voters, using so far as applicable present registration and poll lists from which to make said lists; and they shall for that purpose sit on each week day for one week previous to said election. And said commissioners shall also appoint judges of election, and designate polling places in each voting precinct.

Reorganizing
wards.

Voting pre-
cincts.

Election date.

Sec. 5. In all cities affected by this act the regular municipal election shall be held on the first Monday in April, in the year 1890, and in each alternate year thereafter. At such election there shall be elected all elective officers for such terms and in such manner as now provided by law for cities of the first class. Said officers shall qualify within the time and in the manner now provided by law, and the terms of office of all officers in office prior to said first election in all such cities or towns shall cease and determine upon the organization of the new city council so elected.

Repealing
clause.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed. Provided that nothing in this act shall be construed to effect pending litigation concerning the acts of the council of North Des Moines in regard to street pavement or any other litigation in existence at the time of the passage of this act.

Publication.

SEC. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after the date upon which publication thereof is made in the daily Iowa State Register and in the daily Des Moines Leader, newspapers published at Des Moines, Iowa, the provision of section thirty-three of the Code to the contrary notwithstanding.

Approved March 13, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 14, 1890.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 2.

BRIDGE FUND NOT APPLICABLE TO CERTAIN CITIES.

S. F. 113.

AN ACT to amend Chapter 16 laws of the Twenty-second General Assembly entitled: "An Act Granting Additional Powers to certain Cities of the First Class and to cities organized under Special Charters and Cities of the Second Class having over 7,000 inhabitants."

Be it enacted by the General Assembly of the State of Iowa:

Bridge fund
not appli-
cable to cities
organized
1887-90.

SECTION 1. That Section One (1) of Chapter 16 laws of the 22 General Assembly be and the same is hereby amended by adding after the last word in the last line thereof the following: And provided further that so much of this chapter as refers to the Bridge Fund, shall not apply to first class cities organized under the general incorporation laws of this state during the years between 1887 and 1890; nor to second class cities having a population of less than 10,000 by the census of 1885, nor to cities acting under Special Charters and having a population of less than 4000 by the census of 1885.

Approved April 11, 1890.