

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 46.

### COMPENSATION OF WATER-WORKS TRUSTEES IN SPECIAL CHARTER CITIES.

S. F. 120.

AN ACT to repeal the law as it appears in section nine hundred and fifty-five-A (955-A) of the supplement to the code, relating to compensation of water-works trustees in special charter cities having a population of thirty thousand (30,000) or more.

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

**SECTION 1. Repealed.** The law as it appears in section nine hundred and fifty-five-A, (955-A) of the supplement to the code is hereby repealed.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 27, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 47.

### MANAGEMENT OF WATER-WORKS IN CERTAIN SPECIAL CHARTER CITIES.

S. F. 119.

AN ACT to amend chapter fourteen (14) of title five (V) of the code, relating to the management of water-works in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

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

**SECTION 1. Board of water-works trustees.** That the water-works now owned by such special charter cities having a population of thirty-five thousand (35,000) or more shall be managed and operated by a board of water-works trustees, which shall be composed of three resident electors, appointed by the mayor of any such city. Upon the taking effect of this act, one of such trustees shall be appointed for a term of one year, another for a term of two years, and the remaining trustee for a term of three years, and thereafter each such trustee shall be appointed for a term of three years. Said trustees shall receive no compensation whatever for their duties as such. All vacancies occurring on said board, occasioned by death, resignation, removal or otherwise, shall be filled by appointment to be made by the mayor of said city for the unexpired term. Each trustee upon qualifying shall execute and furnish the

city an official bond, in the sum of five thousand dollars (\$5,000), for the faithful performance of his duties, which bond, if sufficient, shall be approved by the city council and filed with the city recorder and by him kept in his office and recorded in a book kept for that purpose, and the expense of such bonds shall be paid by the city treasurer, upon the order of the trustees, out of the water-works funds. Any of such trustees may be removed from office for cause under the provisions of chapter eight (8) of title six (VI) of the code, and in addition thereto, the mayor may, for like cause after hearing, remove any of such trustees.

**SEC. 2. Superintendent—employees—duties of board.** The said board of trustees shall employ an efficient superintendent, and such other employes as may be necessary and proper, for the operation and betterment of such works, for the collection of water rentals, and for the conduct of the business incident to the operation thereof. The said board of trustees shall require of the superintendent, and of the other employes as they may deem proper, good and sufficient bonds, the amount thereof to be fixed and approved by said board, for the faithful performance of their duties, which bonds shall run in the name of the city and be filed with the city recorder and by him kept in his office and recorded in a book kept for that purpose. All money collected by the board of water-works trustees shall be deposited at least daily by them with the city treasurer; and all money so deposited and all tax money received by the city treasurer from any source, levied and collected for and on account of the water-works, shall be kept by the city treasurer as a separate and distinct fund, for which funds the city treasurer shall be liable upon his official bond the same as for other funds received by him as such treasurer. Such moneys shall be paid out by the city treasurer only on the written order of the board of water-works trustees, who shall have full and absolute control of the application and disbursement thereof for the purposes prescribed by law, including the payment of all indebtedness arising in the maintenance, operation, betterment, and extension of said water-works; and said board of water-works' trustees shall make no payment of any kind whatsoever, except by written order on the city treasurer. For the operation, betterment, and improvement of such works, said board of trustees may incur obligations, and to pay therefor may anticipate the revenues of such works for a period not to exceed one year, unless the city council shall by tax levy make provision for the payment thereof. The board of trustees shall fix uniform water-rates and make and enforce proper rules and regulations for the collection of water-rentals and the supplying of good water service, and shall furnish the city council a schedule of such water rates and duplicate of such rules and regulations for publication as part of the proceedings of the city council. Such board of trustees shall each three months furnish the city council an itemized statement of all receipts and expenditures during such period, including all current liabilities and outstanding accounts, and also, complete annual statements, in the form of a balance sheet, which shall include all assets and liabilities; and, at least annually, and oftener if they see fit report the general condition and needs of the water-works plant; and such quarterly and annual statements and such reports shall when so furnished, be at once published as a part of the proceedings of the city council. Said board of trustees shall keep a book wherein a record shall be entered and kept of their proceedings, and which proceedings, duly attested, shall be at once published in two of the official newspapers of any such city. All books, vouchers, and records of said trustees in anywise relating to the water-works shall be open to the inspection and examination of any resident of said city.

**SEC. 3. Cities affected—terms of office of acting trustees.** All the provisions of this act shall be held and construed as applying to cities acting under

special charters having a population of thirty-five thousand (35,000) or more as shown by the last state census; and all acts or parts of acts in conflict with this act shall not be applicable to any such cities in so far as they relate to the future management of water-works; and upon the taking effect of this act and the appointment of trustees hereunder, the terms of office of any and all water-works trustees now acting in any such city shall at once cease.

SEC. 4. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 2, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 48.

### GOVERNMENT OF CERTAIN CITIES.

115 N. W. 177.

S. F. 212.

AN ACT to provide for the government of certain cities, and the adoption thereof by special election. "Additional to title five (V) of the code."

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

SECTION 1. **Cities affected.** That any city of the first class, or with special charter, now or hereafter having a population of twenty-five thousand or over, as shown by the last preceding state census, may become organized as a city under the provisions of this act by proceeding as hereinafter provided.

SEC. 2. **Petition—question submitted—result certified—election of officers.** Upon petition of electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding city election of any such city, the mayor shall by proclamation, submit the question of organizing as a city under this act at a special election to be held at a time specified therein, and within two months after said petition is filed. If said plan is not adopted at the special election called, the question of adopting said plan shall not be re-submitted to the voters of said city for adoption, within two years thereafter and then the question to adopt shall be re-submitted upon the presentation of a petition signed by electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general city election. At such election, the proposition to be submitted shall be, "Shall the proposition to organize the city of (name the city), under chapter (naming the chapter containing this act) of the acts of the 32nd General Assembly, be adopted?" and the election thereupon shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other city elections. If the majority of the votes cast shall be in favor thereof, the city shall thereupon proceed to the election of a mayor and four (4) councilmen, as hereinafter provided. Immediately after such proposition is adopted, the mayor shall transmit to the governor, to the secretary of state, and to the county auditor, each a certificate stating that such proposition was adopted. At the next regular city election after the adoption of such proposition, there shall be elected a mayor and four (4) councilmen. In the event however, that the next regular city election does not occur within one year after such special election, the mayor shall, within ten days after such special election, by proclamation, call a special