

CHAPTER 360

CITY OF WAVERLY

H. F. 360.

AN ACT to legalize the levy for purchase of fire fighting equipment by the city council of the city of Waverly, Iowa.

WHEREAS, beginning with the year 1916, the city of Waverly, in Bremer county, Iowa, did commence the accumulation of a fire fund for the express purpose of purchasing a motor truck and other equipment for the use of its fire department, and in order to accomplish said purpose did authorize the levy of a tax of 2 mills for said fire fund in the said year 1916, which was followed by a levy of 2.4 mills in the year 1917, and a levy of 2.5 mills in the year 1918; and as a result of said levies there is now a balance in the said fire fund in the sum of fifty hundred eighty-four dollars; and

WHEREAS, because of a confusion of the provisions of sections 716-a and 716-b of the supplement to the code, and amendments thereto, the above mentioned levies were in excess of the amount that could be legally levied for purchase of equipment as authorized in section 716-b, but were entirely within the law for the purpose of maintaining a fire department under section 716-a; and

WHEREAS, since the city of Waverly, Iowa, has a voluntary fire department only, there is not now, nor has there ever been any demand that the balance in the fire fund be used for the expense of maintenance, but there is an insistent demand that the fire department be provided with more modern and efficient equipment; and

WHEREAS, doubts have arisen concerning the legality of using this fund for the purchase of equipment instead of for maintenance of the fire department, although such use will operate for the best interests of the city of Waverly and its citizens; therefore,

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

1 SECTION 1. That the acts of the city council of the city of Waverly,
2 Iowa, in levying a tax of 2 mills in 1916, 2.4 mills in 1917 and 2.5
3 mills in 1918, for the purpose of acquiring property for the use of its
4 fire department and equipping the same, is hereby legalized and de-
5 clared valid.

1 SEC. 2. Nothing in this act shall affect pending litigation.

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Des Moines
3 Register, a newspaper published in the city of Des Moines, Iowa, and
4 the Independent Republican, a newspaper published in the city of
5 Waverly, Iowa, without expense to the state.

Approved February 24, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Register February 26, 1921, and in the Independent Republican March 4, 1921.

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