

CHAPTER 128

CITIES AND TOWNS

S. F. 325

AN ACT to amend chapter two hundred eighty-five (285), acts of the thirty-eighth general assembly (C. C. 3944, 3949, 3950), providing for the protection of cities from damage by floods.

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

1 SECTION 1. **Special assessment.** That section nine (9) of chapter
2 two hundred eighty-five (285), acts of the thirty-eighth (38) general
3 assembly, be amended by substituting therefor the following: "Sec-
4 tion 9. When the work is contracted for as herein provided, the
5 council shall assess the lands and other property included within the
6 improvement district for such part of the cost of the improvement as
7 shall be equal and in proportion to the benefit conferred by the im-
8 provement, but not in excess of twenty-five per cent of the value of
9 said lands and other property after the improvement shall have been
10 made."

1 SEC. 2. **Filling channel and assessment.** That section fourteen (14)
2 of chapter two hundred eighty-five (285), acts of the thirty-eighth
3 (38) general assembly, be amended by adding after the word "im-
4 provement" the following: "and there may be included as a part of
5 the improvement the work of filling the old channel at other places
6 than at the intersection of the same by a street or alley and, if
7 included, the city engineer shall be required to furnish plans and
8 specifications, estimates, plats and schedules and the ownership and
9 value of each lot or parcel of land in the old channel; and, when the
10 improvement is completed, the council shall assess the cost of such
11 filling against the lots and land or parts of lots or land in the channel
12 wholly or partly filled. The limitation in section seven hundred ninety-
13 two-a (792-a) of the supplement to the code, 1913, relative to twenty-
14 five per cent of the value, shall not be applicable in the assessment
15 of the cost or said work of filling, "provided, however, that such cost
16 shall not exceed the benefits conferred on the tract so filled."

Note: The word "or" in line 15 evidently should be "of".

1 SEC. 3. **Tax levy.** That section fifteen (15) chapter two hundred
2 eighty-five (285), acts of the thirty-eighth (38) general assembly, be
3 amended by striking therefrom the words "where it is to be aban-
4 doned" in the sixth line thereof, and substituting the words "as or-
5 dered by the council."

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect upon and after its publi-
3 cation in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved April 16, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Capital April 17, 1923, and the Des Moines Register April 18, 1923.

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