

CHAPTER 187

EXTENSION OF WATER MAINS

AN ACT to repeal section six thousand one hundred ninety-a two (6190-a2), six thousand one hundred ninety-a four (6190-a4), and six thousand one hundred ninety-a eleven (6190-a11), code of 1927, and to enact a substitute therefor; relating to resolutions of necessity, installation and contracts, method of petitioning for extensions, notice of proposed extensions and providing a method of rebate to property owners; and to amend section six thousand one hundred ninety-a thirteen (6190-a13), code, 1927, relating to the applicability of chapter 314-a1, governing the extension of water mains; all in connection with water works extensions and water mains, and providing for publication hereof.

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

1 SECTION 1. That section six thousand one hundred ninety-a two
2 (6190-a2), of the code of Iowa, 1927, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Such extensions and assessments for the cost thereof, may be
5 ordered only when such extensions have been petitioned for by at
6 least seventy-five per cent (75%) of the owners of property subject
7 to such assessment who are residents of the city wherein such petition
8 for extensions is presented."

1 SEC. 2. That section six thousand one hundred ninety-a four
2 (6190-a4), of the code of Iowa, 1927, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "If the proposed extension is approved by the board of water works
5 trustees, it shall certify said petition, together with its written ap-
6 proval, to the council, and the council shall then in a resolution declare
7 the necessity for such extension, designating the streets upon which
8 it is proposed to make the extension and the terminal points thereof,
9 and the fact that private abutting property will be assessed for the
10 cost thereof, and the council shall in such resolution of necessity fix
11 the time for the consideration of the resolution, at which time the
12 owners of property subject to assessment may appear and make
13 objection, if they so elect to do, to the passage of the resolution;
14 before final action upon the resolution, the council shall cause notice
15 of the time when said resolution will be considered by it for passage
16 to be given by two weekly publications in some newspaper published
17 in the city or in case no newspaper is published therein in one of gen-
18 eral circulation therein the last of which shall be not less than two
19 weeks, nor more than four weeks, prior to the day fixed for its con-
20 sideration; if objections are filed by any property owners to the pass-
21 age of the resolution, final action shall not be taken upon same by the
22 council until notice of such objection has been given to the board of
23 water works trustees when such board exists, giving it an opportunity
24 to appear before the council in support of its approval of the petition.
25 If such resolution is finally adopted by the council, the extension shall
26 be made as hereinafter provided in this chapter. The city or town
27 clerk shall certify to the board of water works trustees the expense
28 of publication and same shall be included as a part of the cost of the
29 extension."

1 SEC. 3. That section six thousand one hundred ninety-a eleven

2 (6190-a11), of the code, 1927, is hereby repealed and the following
3 enacted in lieu thereof:

4 "Each city or town may provide by ordinance that the owner of
5 property so assessed shall be rebated annually at the rate of ten per
6 cent (10%) each year of such assessment and interest, from water
7 dues payable by such property so assessed, until such time as the
8 amount of such rebates equals the amount of said assessment and
9 interest paid by such owner, provided that after fifteen (15) years
10 from date of assessment all rebate rights shall be automatically can-
11 celled and any assessments not then repaid by such rebates shall not
12 be subject to repayment; provided, however, that in any city where
13 the water works is operated under a board of water works trustees
14 such an ordinance shall not be adopted unless it shall be asked for
15 and approved by the board of water works trustees."

16 "The council of any city having a population in excess of seventy-
17 five thousand (75,000) shall adopt such ordinance before extending
18 mains and assessing costs thereof as provided in this chapter."

1 SEC. 4. Section six thousand one hundred ninety-a thirteen (6190-
2 a13), of the code, 1927, is amended by striking from lines five, six,
3 seven and eight, the words "nor to cities having a population of
4 seventy thousand or more, acting under the commission plan of gov-
5 ernment".

1 SEC. 5. This act is deemed of immediate importance and shall be
2 in full force and effect from and after its publication in the Council
3 Bluffs Daily Nonpareil, a newspaper published at Council Bluffs, Iowa,
4 and the Waterloo Morning Tribune, a newspaper published at Water-
5 loo, Iowa.

Senate File No. 291. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Council Bluffs Daily
Nonpareil April 18, 1929, and the Waterloo Morning Tribune April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 188

CITIES AND TOWNS. FIRE DEPARTMENT

AN ACT to repeal subdivision nine (9) of section sixty-two hundred eleven (6211) of the code, 1927, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns.

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

1 SECTION 1. The law as it appears in subdivision nine (9) of section
2 sixty-two hundred eleven (6211) of the code, 1927, be and the same is
3 hereby repealed and the following enacted in lieu thereof:

4 "9. **Fire department maintenance fund.** Any city regardless of
5 the form of government thereof, with a population of more than eight
6 thousand, not exceeding ten mills; any such city with a population of
7 less than eight thousand, not exceeding five mills; and any town not
8 exceeding two mills. The foregoing levies shall be used only to main-