

## CHAPTER 270

## CITY OF DES MOINES

## H. F. 62

AN ACT to legalize and validate ordinance thirty-six hundred nineteen (3619), and amendments thereof, of the city of Des Moines, Iowa, relating to regulating the location and use of buildings, structures and land for trade, industry, commerce, residence or other purposes, regulating and restricting the height of buildings, determining the area of yards, and other open spaces, regulating and determining the density of use of land and lot areas and dividing the city into districts, providing for the enforcement thereof, and a board of adjustment, and prescribing penalties for the violation thereof, and to legalize and validate all the acts and proceedings taken by the city council and its officers in the passage, publication and adoption of the form of said ordinance, and to legalize and validate the sufficiency of public hearings in relation thereto and the publicity and notice of the time and place of such hearings.

WHEREAS, the city of Des Moines, Iowa, prepared, filed and passed ordinance thirty-six hundred nineteen (3619) and published the same in its book of Des Moines Revised Ordinances, 1932, including a height and area district map as a part thereof, as authorized by the zoning commission of the city of Des Moines and Harland Bartholomew, city plan engineer, St. Louis, Missouri, with height and area districts, use districts and rear and side yard and setback provisions, with lot area per family and maximum height of buildings; and,

WHEREAS, section sixty-four hundred fifty-five (6455) of the Code of Iowa, 1924, provided and the law now provides for public hearings in relation thereto, an opportunity to citizens to be heard, and provides for the publication of a fifteen-day notice of the time and place of such hearing; and,

WHEREAS, the zoning commission of the city of Des Moines held many hearings upon notice and heard protests of many citizens upon many occasions, and the city council of said city held several hearings in accordance with newspaper items published fifteen days or more in advance of said hearings; now, therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That the proceedings and acts of the zoning commis-  
2 sion of the city of Des Moines and the city council of said city and the  
3 notices given of said hearings and the publicity appearing in papers of  
4 general circulation in said city are hereby legalized and validated and  
5 said notices and publicity are hereby approved and confirmed as ade-  
6 quate and sufficient notice of all hearings required by section sixty-  
7 four hundred fifty-five (6455), Code of Iowa, 1935, and said ordinance  
8 is hereby legalized, validated and confirmed and all regulations,  
9 restrictions and boundaries therein contained are hereby declared  
10 effective and valid in all respects.

1 SEC. 2. The provisions of this act shall not affect or apply to any  
2 use to which any real estate was lawfully devoted prior to the ef-  
3 fective date hereof and such use may be continued hereafter.

1 SEC. 3. The provisions of this act shall not apply to rights involved  
2 in pending litigation.

1 SEC. 4. This act being deemed of immediate importance shall be  
 2 in full force and effect from and after its publication in the Iowa  
 3 Legionaire, a newspaper published in the city of Des Moines, Iowa,  
 4 and in the Plain Talk, a newspaper also published in the city of Des  
 5 Moines, Iowa, all without expense to the state.

Approved March 23, 1939.

I hereby certify that the foregoing act was published in the Ankeny Times, April 14, 1939, and the Plain Talk, Des Moines, Iowa, April 13, 1939. I further certify that the Iowa Legionaire refused to publish this act and that publication was made in the Ankeny Times at my request.\*

EARL G. MILLER, *Secretary of State.*

## CHAPTER 271

### STORY COUNTY

#### H. F. 221

AN ACT to legalize the action of the board of supervisors of Story county, Iowa, in making expenditures from the Story county insane fund for the purpose of paying the expenses and maintenance of the Story county home.

WHEREAS, the board of supervisors of Story county, Iowa, has for the past two years paid the total cost of maintaining the Story County Home from the insane fund of Story county, Iowa; and

WHEREAS, doubts have arisen as to the legality of such proceedings and expenditures and it is deemed advisable to put such doubts forever at rest; now, therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. The action of the board of supervisors of Story county,  
 2 Iowa, in making expenditures for the expenses and maintenance of  
 3 Story County Home in the year 1936, in the sum of eighteen thousand  
 4 seven hundred ninety-six dollars forty cents (\$18,796.40) from the  
 5 county insane fund, is hereby declared to be legal, valid and binding.

1 SEC. 2. The action of the board of supervisors of Story county,  
 2 Iowa, in making expenditures for the year 1937 for the maintenance  
 3 and expenses of the Story County Home from the Story county insane  
 4 fund in the sum of twenty-one thousand two hundred thirty-four dol-  
 5 lars seventy-seven cents (\$21,234.77), is hereby declared to be legal,  
 6 valid and binding.

1 SEC. 3. Nothing in this act shall affect pending litigation.

1 SEC. 4. This act, being deemed of immediate importance shall take  
 2 effect and be in force from and after its passage and publication in the  
 3 Nevada Evening Journal, a newspaper published in Nevada, Iowa, and  
 4 in The Milepost, a newspaper published in Ames, Iowa, without ex-  
 5 pense to the state.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Nevada Evening Journal, April 20, 1939, and The Milepost, Ames, Iowa, April 20, 1939.

EARL G. MILLER, *Secretary of State.*

\*Note: Designated under section 55 of the code.