

9 any administrative agency designated pursuant to this act shall not in-
10 clude any of the powers herein delegated to the board of adjustment.

1 **SEC. 14. Enforcement and remedies.** Each violation of this act or
2 of any regulations, order, or rules promulgated pursuant to this act,
3 shall constitute a misdemeanor, and the perpetrator thereof, upon
4 conviction, shall be punished accordingly; and each day a violation
5 continues to exist shall constitute a separate offense.

1 **SEC. 15. Separability.** If any section, clause, sentence or phrase
2 of this act is for any reason held to be unconstitutional or invalid,
3 such decision shall not affect the validity of the remaining portions
4 of this act. The legislature hereby declares that it would have passed
5 this act and each section, clause, sentence or phrase hereof, irrespec-
6 tive of whether any one or more of the sections, clauses, sentences, or
7 phrases be declared unconstitutional or invalid.

1 **SEC. 16. Repeal.** All acts or parts of acts inconsistent with the
2 provisions of this act are hereby repealed.

1 **SEC. 17. Short title.** This act shall be known and may be cited as
2 the "Airport Zoning Act."

1 **SEC. 18. Special charter cities.** The provisions of this act shall
2 apply to cities operating under special charter.

Approved April 6, 1945.

CHAPTER 150

AIRPORTS

H. F. 365

AN ACT to amend chapter three hundred three and one-tenth (303.1), code, 1939, and to amend sections five thousand nine hundred three and two hundredths (5903.02), five thousand nine hundred three and three hundredths (5903.03), five thousand nine hundred three and seven hundredths (5903.07), and five thousand nine hundred three and nine hundredths (5903.09) of chapter three hundred three and one tenth (303.1), code, 1939; and to amend chapter two hundred ten (210) Acts of the Forty-ninth General Assembly; and to amend section six thousand nine hundred forty-four (6944) chapter three hundred thirty (330), code, 1939, relating to airports and airport approaches; the powers of political subdivisions with respect thereto, including the acquisition and planning thereof, acceptance of federal aid therefor and issuance of revenue bonds for improvements thereupon, the creation of airport commissions, and exemption from taxation, under certain circumstances, of land used for airport purposes.

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

1 **SECTION 1.** Chapter three hundred three and one-tenth (303.1),
2 Code, 1939, is hereby amended by adding thereto the following section:
3 "All powers herein conferred upon and granted to cities and towns
4 are hereby specifically extended and granted to and conferred upon
5 all other political subdivisions within this state, including villages,
6 townships and counties.

1 **SEC. 2.** Chapter three hundred three and one-tenth (303.1), Code,
2 1939, is hereby further amended by adding thereto the following
3 section:

4 "Any Iowa political subdivision, villages, towns, cities, townships
5 and counties may, by duly adopted ordinance or resolution as may
6 be appropriate, enter into agreements providing for collaboration
7 with any other one or more such political subdivisions, within or with-
8 out the state of Iowa, in exercising jointly any of the powers granted
9 by this chapter, to the same extent as such powers can be exercised
10 by any such political subdivision individually. Concurrent action by
11 the governing bodies of the political subdivision participating shall
12 constitute joint action. Such agreements may provide for the creation
13 and establishment of a joint airport commission which, when so cre-
14 ated or established, shall function in accordance with the provisions
15 of chapter two hundred ten (210), Acts of the 49th General Assembly,
16 insofar as provided by said agreements.

1 SEC. 3. Chapter three hundred three and one-tenth (303.1), Code,
2 1939, is hereby further amended by adding thereto the following sec-
3 tion:

4 "Federal aid. Any subdivision of government is authorized to ac-
5 cept, receive, and receipt for federal monies, and other monies, either
6 public or private, for the acquisition, construction, enlargement, im-
7 provement, maintenance, equipment, or operation of airports, and
8 other air navigation facilities, and sites therefor, and to comply with
9 the provisions of the laws of the United States and any rules and regu-
10 lations made thereunder for the expenditure of federal monies upon
11 such airports and other air navigation facilities."

1 SEC. 4. The provisions of this act shall be applicable to cities acting
2 under special charter.

1 SEC. 5. Chapter three hundred three and one-tenth (303.1), Code,
2 1939, is hereby further amended by adding thereto the following
3 section:

4 "All political subdivisions authorized by this chapter to acquire,
5 establish, improve, maintain and operate airports may, in connection
6 therewith, purchase or construct, or contract for the construction of,
7 and maintain and operate, hangars, administration and office buildings
8 and other aeronautical and commercial facilities for which fees are
9 charged, and pay for the same solely and only out of the earnings
10 thereof. Such political subdivisions are authorized to borrow money
11 for the purpose of purchasing or constructing the improvements here-
12 in authorized, and as evidence of such money borrowed to issue their
13 bonds payable solely and only from the revenues derived from such
14 improvements. Such bonds may be issued in such amounts as may
15 be necessary to provide sufficient funds to pay all the costs of con-
16 struction and operation of such improvement, including engineering
17 and other expenses, together with interest to a date six months sub-
18 sequent to the estimated date of completion. Bonds issued under the
19 provisions of this section are declared to be negotiable instruments.
20 The principal and interest of said bonds shall be payable solely and
21 only from the special fund herein provided for such payments, and
22 said bonds shall not in any respect be a general obligation of such
23 political subdivision, nor shall they be payable in any manner by
24 taxation. All details pertaining to the issuance of such bonds and
25 the terms and conditions thereof shall be determined by ordinance

26 or resolution duly adopted by the governing body of such political
 27 subdivision, which may pledge the property purchased or constructed,
 28 and the net earnings thereof, to the payment of said bonds and the
 29 interest thereon, and provide that the net earnings thereof shall be
 30 set apart as a sinking fund for that purpose. Such political subdivi-
 31 sion is authorized and directed to charge the users of such improve-
 32 ments at rates which at all time, shall be sufficient to pay the prin-
 33 cipal and interest on the bonds issued under the provisions of this
 34 chapter, and the cost of operation and maintenance, and to provide
 35 an adequate depreciation fund. This section shall be construed as
 36 granting additional power, without limiting the power already exist-
 37 ing in political subdivisions.

1 SEC. 6. Section five thousand nine hundred three and two hun-
 2 dredths (5903.02), Code, 1939, is hereby amended by striking the
 3 period (.) from line four (4) thereof and substituting therefor a
 4 comma (,), and adding thereto the following words: "and either
 5 within or without the territorial limits of this state."

1 SEC. 7. Section five thousand nine hundred three and three hun-
 2 dredths (5903.03), Code, 1939, is hereby amended by inserting follow-
 3 ing the comma in line five (5) thereof, the following words: "and
 4 either within or without the territorial limits of this state," and said
 5 section is further amended by striking the period (.) at the end of
 6 line six (6) thereof, inserting in lieu thereof a semicolon (;) and
 7 adding thereto the following: "and in like manner to acquire or cause
 8 to be moved, removed, abated, eliminated, mitigated or altered any
 9 structure or object protruding above the surface of the ground, or
 10 any use of land obstructing the air space necessary for the safe and
 11 efficient flight of aircraft in landing or taking-off at any airport, or
 12 otherwise constituting a hazard to such landing or taking-off."

1 SEC. 8. Section one (1) of Chapter two hundred nine (209), Acts
 2 of the Forty-ninth General Assembly, is hereby amended by striking
 3 therefrom everything following the word "tax" in line six (6) of
 4 Section one (1) of said amendment, and inserting in lieu thereof the
 5 following: "of not to exceed one and one-fourth mills on the dollar
 6 on all taxable property of said city or town."

1 SEC. 9. Section five thousand nine hundred three and seven hun-
 2 dredths (5903.07), Code, 1939, is hereby amended by striking from
 3 line four (4) thereof the word "commerce" and inserting in lieu there-
 4 of the word "aeronautics".

1 SEC. 10. Section five thousand nine hundred three and nine hun-
 2 dredths (5903.09), Code, 1939, is hereby amended by striking all of
 3 that portion of the first sentence of said section following the word
 4 "airports" in line four (4) thereof, and inserting after the word "air-
 5 ports" a period (.).

1 SEC. 11. Chapter two hundred ten (210), Acts of the Forty-ninth
 2 General Assembly, is hereby amended by striking from lines one (1)
 3 and two (2) of Section one (1) thereof the words: "except a city
 4 having a population of more than seventy-five thousand (75,000)".

1 SEC. 12. Section six thousand nine hundred forty-four (6944),
 2 Chapter three hundred thirty (330), Code, 1939, is hereby amended

3 by adding thereto the following paragraph: "23. Any lands, the use
4 of which (without charge by or compensation to the holder of the legal
5 title thereto) has been granted to and accepted by the state or any
6 political subdivision thereof for airport or aircraft landing area
7 purposes."

Approved April 4, 1945.

CHAPTER 151

COUNTY OFFICERS AND EMPLOYEES

H. F. 315

AN ACT to provide for increases in compensation for public officers and employees in counties and subdivisions thereof during the period from July 1, 1945 to June 30, 1947 and to authorize a levy of one-half mill to provide funds in counties wherein the county general fund is insufficient to pay such increases.

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

1 SECTION 1. It is hereby provided that from July 1, 1945 to June 30,
2 1947, assessors who are by law compensated on a per diem basis, in-
3 cluding assessors employed by cities, but whose compensation is paid
4 by the county, shall receive compensation at the rate of five dollars
5 (\$5.00) per day, provided, however, that in cities having a population
6 of more than sixty thousand (60,000) such compensation shall be at
7 the rate of six dollars (\$6.00) per day.

1 SEC. 2. It is hereby provided that from July 1, 1945 to June 30,
2 1947, county supervisors shall receive compensation of six dollars
3 (\$6.00) per day for each day services are rendered as provided by law.
4 However, in counties now having or which may hereafter have a popu-
5 lation in excess of sixty thousand (60,000), with boards not exceeding
6 five (5) members in number, these county supervisors shall receive
7 an annual salary of two thousand five hundred dollars (\$2500.00), and
8 in counties now having or which may hereafter have a population in
9 excess of one hundred fifty thousand (150,000), county supervisors
10 shall receive an annual salary of three thousand dollars (\$3000.00).
11 These salaries shall be in full payment of all services rendered to the
12 county by said supervisors except statutory mileage while actually
13 engaged in the performance of official duties.

14 It is further provided that the amounts allowed themselves by super-
15 visors for per diem and mileage shall be subject to review by the Dis-
16 trict Court if a petition signed by twenty-five (25) electors and free-
17 holders of the county is filed with the Clerk of the District Court
18 within ten (10) days after publication of such allowance or payment.

1 SEC. 3. It is hereby provided that from July 1, 1945 to June 30,
2 1947, full time deputy auditors, deputy recorders, deputy treasurers
3 and deputy clerks of the district court shall receive as compensation,
4 payable on an annual basis, not less than one thousand four hundred
5 dollars (\$1400.00) per annum.