

3 (8) and nine (9) the words "and also in the office of the secretary of
4 state."

1 SEC. 11. When ten percent of the owners of territory adjoining
2 any city or town petition the council of such city or town for annexa-
3 tion such territory may be annexed by the same procedure as is pro-
4 vided by law for annexation proceedings initiated by the council, except
5 that the petitioners shall be plaintiffs and the city or town and all
6 owners of property in the territory other than petitioners shall be
7 defendants.

Approved May 2, 1951.

CHAPTER 145

CITIES AND TOWNS—GENERAL POWERS

S. F. 165

AN ACT relating to the forms of government, classification, and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto.

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

1 Sections one (1) to nine (9) and fifteen (15) to forty (40) hereof
2 are enacted as a new chapter to be added to Title XV of the Code.

FORMS OF MUNICIPAL GOVERNMENT

1 SECTION 1. **Forms enumerated.** The form of government of a
2 municipal corporation shall be one of the following:

- 3 a. Mayor-Council form,
- 4 b. Commission form,
- 5 c. Council-Manager form by ordinance,
- 6 d. Council-Manager form by popular election.

1 SEC. 2. **Applicability.** This chapter shall apply to all municipal
2 corporations, and to all forms of municipal government, except as
3 otherwise provided by laws relating to a particular form of govern-
4 ment and to elections in cities operating under chapters forty-four
5 (44) and forty-five (45), and except as provided by section forty-three
6 point one hundred twelve (43.112), Code 1950.

1 SEC. 3. **The governing body.** The governing body of all municipal
2 corporations shall be the mayor and council, chosen by the electorate
3 as provided by this chapter. All legislative and other powers granted
4 to municipal corporations shall be exercised by the council, except
5 those conferred upon some officer by law or ordinance. All executive
6 functions and powers shall be exercised by the mayor and other officers
7 and boards, and neither the council nor the members thereof shall
8 exercise any executive functions unless expressly conferred by law.

1 **SEC. 4. Classification.** Municipal corporations are divided into
2 cities and towns.

3 1. Any municipal corporation which has a population of two thou-
4 sand (2,000) or more is a city.

5 2. Any municipal corporation which has a population less than two
6 thousand (2,000) is a town.

1 **SEC. 5. Change of class—loss of population.** Within sixty (60)
2 days after the publication of any Federal census, the executive council
3 shall cause a statement and list of each city or town affected thereby
4 in its class as a corporation to be published in some newspaper at the
5 seat of government, and in each city and town, the class of which is
6 changed. No city shall be affected in its classification by a subsequent
7 loss of population unless its population falls below fifteen hundred
8 (1,500).

1 **SEC. 6. Change of class—ordinances.** Before the next election
2 in a city or town, after a change of class, the council shall make and
3 publish such ordinances as are necessary to perfect such organization,
4 in respect to the election, duties, and compensation of officers. All
5 assets and property of the corporation shall be held and administered
6 as provided by law for its new class.

1 **SEC. 7. Wards.** Cities may be by ordinance divided into wards,
2 new wards created, or the boundaries changed, but in all cases the
3 boundaries of wards shall be as far as practicable established so as to
4 give all wards an equal population.

ELECTIONS

1 **SEC. 8. When held—voting places.** Except as hereinafter pro-
2 vided, regular municipal elections shall be held on the Tuesday next,
3 after the first Monday in November, of odd numbered years, and
4 elective officers shall be chosen biennially to succeed officers whose
5 terms expire on December 31st, following said election. Voting places
6 shall be fixed by the council, and at least one polling place provided
7 for each precinct or ward, as the case may be.

1 **SEC. 9.** All elective municipal officers shall be elected for a term of
2 office of two years except as hereinafter provided. Members of the
3 council in cities operating under the council-manager plan by popular
4 election shall be elected for terms of office of four years. In all municip-
5 al corporations the terms of office of any or all elective municipal
6 officials may be changed from two year terms to four year terms or
7 from four year terms to two year terms upon petition and election.
8 The procedure for change in form of government provided in sections
9 thirty-five (35) to thirty-nine (39) hereof shall be applicable to
10 changes in duration of terms of office except that the number of signers
11 of the petition need equal only ten percent of the votes cast for the
12 candidate for any municipal office receiving the greatest number of
13 votes at the last preceding regular municipal election. In all
14 municipal corporations where members of the council are elected for
15 four year terms such terms shall be staggered so that one-half of the
16 members of the council, as nearly as may be, are elected at each regular
17 municipal election.

18 The references in sections ten (10) to fourteen (14) hereof to
 19 "longer" and "shorter" terms shall apply only to municipal corpora-
 20 tions where members of the council are elected for four year terms.

CHANGING TO FOUR YEAR TERMS

1 **SEC. 10. Transition from municipal election in March, 1950.** All
 2 municipal corporations, except those operating under the provisions
 3 of chapter four hundred nineteen (419), Code 1950, in which the last
 4 regular municipal election was held in March, 1950, shall hold the
 5 next regular municipal election in November, 1951, as provided in
 6 section eight (8) hereof. At said election, elective officers shall be
 7 chosen to succeed those whose terms of office expire on the first Monday
 8 in April, 1952. The mayor, one-half of the members of the council, as
 9 nearly as may be, and other elective officers shall be elected to terms
 10 of office which expire December 31, 1953, as provided in section twelve
 11 (12), hereof. All succeeding regular municipal elections shall be held
 12 as provided in section eight (8), hereof.

1 **SEC. 11. Transition from election in April 1950 or March 1951.**
 2 All municipal corporations except those operating under the provisions
 3 of chapter four hundred nineteen (419), Code 1950, in which the last
 4 regular municipal election was held in April 1950 or March, 1951, shall
 5 hold the next regular municipal election in November, 1953, as pro-
 6 vided in section eight (8), hereof, and the terms of office of all elective
 7 officers of said municipal corporations are hereby extended to Decem-
 8 ber 31, 1953. At said election, the mayor, one-half of the members of
 9 the council, as nearly as may be, and other elective officers shall be
 10 elected for four-year terms of office, and the rest of the members of
 11 the council shall be elected for two-year terms, as provided in section
 12 twelve (12), hereof. All succeeding municipal elections shall be held
 13 as provided in section eight (8), hereof.

1 **SEC. 12. Transition terms—councilmen.** In municipal corporations
 2 where some of the members of the council are elected by wards, mem-
 3 bers of the council, representing even-numbered wards, and one of the
 4 councilmen at large, shall be elected to the longer terms. In municipal
 5 corporations where members of the council are elected at large their
 6 length of term shall be determined by the number of votes received
 7 by each such candidate at the municipal election. Those candidates
 8 for council equal in number to one-half of the number of councilmen
 9 to be elected, or where an odd number are to be elected a bare majority
 10 of such number, who receive the greatest number of votes shall be
 11 elected for the longer term. In the event of a tie the mayor and clerk
 12 shall determine by lot which candidate or candidates shall receive the
 13 longer term.

1 **SEC. 13. Certain cities with election in 1950.** All municipal corpo-
 2 rations operating under the provisions of chapter four hundred nine-
 3 teen (419), Code 1950, in which the last regular municipal election was
 4 held in 1950, shall hold a regular municipal election in November 1951,
 5 as provided in section eight (8), hereof. At said election, elective offi-
 6 cers shall be chosen to succeed those whose terms expire on the first
 7 Monday in April, 1952, and said officers shall be elected for terms of
 8 office which expire December 31, 1955. Similarly, at the regular

9 municipal election held in November 1953, elective officers shall be
10 chosen to succeed those whose terms expire on the first Monday in
11 April, 1954, and said officers shall be elected for terms which expire
12 December 31, 1957. All succeeding regular municipal elections shall
13 be held as provided in section eight (8), hereof.

1 SEC. 14. Certain cities with election in March, 1951. All municipal
2 corporations operating under the provisions of chapter four hundred
3 nineteen (419), Code 1950, in which the last regular municipal election
4 was held in March, 1951, shall hold their next regular municipal elec-
5 tion in November, 1953, as provided in section eight (8) hereof. In
6 such municipal corporations the terms of incumbent elective officers
7 are hereby extended as follows: Terms of office which expire on the
8 first Monday in April, 1953, are extended to December 31, 1953; and
9 terms of office which expire on the first Monday in April, 1955, are ex-
10 tended to December 31, 1955. Thereafter all regular municipal elec-
11 tions shall be held in such municipal corporations in November as
12 provided in section eight (8), hereof.

NOMINATION OF CANDIDATES

1 SEC. 15. Candidates—filing. Any person desiring to become a
2 candidate for any elective municipal office shall, at least four (4)
3 weeks prior to the election, file with the clerk of the municipal corpora-
4 tion a petition signed by qualified voters equaling in number at least
5 two per cent (2%) of the greatest number of votes cast for any candi-
6 date for such office at the last regular municipal election, and in no
7 case less than ten (10), requesting that his (or her) name be printed
8 upon the official election ballot.

1 SEC. 16. Form of petition. Said petition shall be in substantially
2 the following form:

Candidate's petition

3
4 The undersigned, duly qualified electors of the municipal corpora-
5 tion of, and residing at the places set opposite
6 our respective names hereto, hereby request that the name of (*name*
7 *of candidate*) be placed on the ballot as a candidate for (*here specify*
8 *office*) at the regular municipal election to be held in said incorporated
9 municipality on the (*specify date of regular municipal election*).

10 We further state that we know the aforesaid person to be a qualified
11 elector of said municipal corporation, a person of good moral char-
12 acter, and qualified in our judgment for the duties of said office.

13 Name of qualified elector Address
14 (including street and
15 residence numbers, if any)
16
17

1 SEC. 17. Affidavit—signer's qualifications. The affidavit of one or
2 more electors of the municipal corporation, as to the qualifications and
3 address of each signer of the petition shall be endorsed on or attached
4 to each petition. When a municipal officer is elected to represent a
5 ward, signers of his petition must be qualified electors of that ward.

1 SEC. 18. Candidate's affidavit. The candidate's petition shall be

2 accompanied by an affidavit by said candidate in substantially the
3 following form:

4 State of Iowa }
5 County } ss.

6 I, (name), being first duly sworn, say that I reside at (address,
7 including residence and street number, if any); that I am a qualified
8 voter therein; that I am a candidate for the office of (here specify the
9 office) to be voted on at the regular municipal election to be held on
10 (specify date), and I hereby request that my name be printed upon
11 the official ballot for said election. I furthermore declare that if
12 elected, I shall qualify for said office.

13 Signed.....
14 Subscribed and sworn to (or affirmed) before me by.....
15, on this day of,
16 19.....

17
18 Official signature of officer
19 administering oath.

1 SEC. 19. **Population 10,000 or less—procedure.** Four weeks prior
2 to the election, the clerk and mayor shall canvass the petitions of all
3 candidates that have been filed with the clerk, and in all municipal
4 corporations having a population of ten thousand (10,000) or less, as
5 shown by the latest Federal census, shall find all candidates that have
6 filed proper petitions, as herein provided, to be the nominees for the
7 offices sought. The clerk shall then do all things necessary for con-
8 ducting the election. The election shall be conducted in the manner
9 provided by law for general elections.

1 SEC. 20. **Population over 10,000—procedure.** In cities having a
2 population of more than ten thousand (10,000), as shown by the latest
3 Federal census, the procedure shall be as follows:

4 If the clerk and mayor find that the number of candidates for any
5 office, as shown by candidates' petitions filed with the clerk, be not
6 more than twice the number of persons that may be elected to said
7 office, said candidates shall be found to be the nominees, and for said
8 office no primary election shall be held. For any office or offices, for
9 which the number of candidates, as shown by the candidates' peti-
10 tions filed with the clerk, is found to be more than twice the number of
11 persons that may be elected to said office or offices, the nominees shall
12 be determined by a municipal primary election, as hereinafter pro-
13 vided. The clerk and mayor shall file a written report with the coun-
14 cil, stating the nominees for such office or offices, if any, for which no
15 municipal primary election is required, and also stating the office,
16 or offices, if any, for which the nominees shall be determined by a
17 municipal primary election.

1 SEC. 21. **Primary election—time.** The municipal primary election
2 shall be held on the second Tuesday prior to the regular municipal
3 election.

1 SEC. 22. **Names on ballot.** The only persons whose name shall be
2 printed on the municipal primary election ballots shall be the candi-
3 dates for the office, or offices, for which the number of candidates is

4 more than twice the number of persons that may be elected to said
5 office, or offices.

1 **SEC. 23. Publication of ballot.** The clerk shall forthwith cause to
2 be published once in a newspaper or newspapers published within the
3 municipal corporation and of general circulation therein, in proper
4 form, the names of persons as they are to appear upon the municipal
5 primary ballot. No ballot shall have any party designation thereon.

1 **SEC. 24. Primary election procedure.** In conducting municipal
2 primary elections, the same procedure shall be followed as that pro-
3 vided for the conduct of general elections, except as herein modified.

1 **SEC. 25. Qualifications of voters.** Each qualified elector may vote
2 at said municipal primary election, and at the regular municipal elec-
3 tion which follows, who for ten days has been a resident of the pre-
4 cinct in which he offers to vote. Electors who are registered and
5 otherwise qualified, and who change residence from the precinct where
6 registered to another precinct within ten days preceding the election,
7 may vote in the precinct where registered except at elections where
8 councilmen are to be elected by the voters of a ward.

1 **SEC. 26. Tie votes—contests.** A tie vote for nomination or elec-
2 tion to any elective municipal office shall be determined as provided
3 in the title on elections. The nomination or election of any person to
4 a municipal office may be contested on the same grounds and in the
5 same manner provided for contesting elections to county offices, so far
6 as applicable. The mayor shall be the presiding officer of the court, but
7 if the mayor's nomination or election is contested, the council shall
8 elect one of its members to be the presiding officer.

1 **SEC. 27. Qualifications of officers.** Every official elected by a mu-
2 nicipality shall be a qualified voter thereof, and every official elected
3 by the voters of any ward of a municipal corporation shall reside
4 within the limits of said ward.

1 **SEC. 28. Returns canvassed.** On the day following the municipal
2 primary election, the clerk shall publicly canvass said election returns
3 and shall report the results thereof to the council. For municipal
4 officers for which but one person is to be elected, the number of nom-
5 inees, as determined by the municipal primary election, shall be twice
6 the number of persons to be elected and the candidates receiving the
7 greatest number of votes shall be the nominees.

1 **SEC. 29. Report to council.** The clerk's report to the council shall
2 list the nominees for all offices to be filled at the forthcoming municipal
3 election and shall show whether nomination was by municipal primary
4 election, or by petition.

MUNICIPAL ELECTIONS

1 **SEC. 30. Municipal election procedure.** The municipal election
2 shall be conducted in the manner provided by law for conducting
3 general elections.

1 **SEC. 31. Officers elected at large.** In all municipal corporations,
2 except those under the council-manager plan by popular election, the

3 mayor shall be elected by the entire electorate. Members of the council
4 may be elected by wards, or by the entire electorate, as hereinafter
5 provided.

1 SEC. 32. **Time of taking office.** All elected municipal officers shall
2 take office on or before noon of the second secular day of January fol-
3 lowing their election.

1 SEC. 33. **The fiscal year.** The fiscal year for all municipal corpora-
2 tions for which taxes are collected through the office of the county
3 treasurer and for all departments, boards, and commissions thereof
4 shall begin on the first day of January each year and shall end on
5 December thirty-first following.

1 SEC. 34. **Government of new corporations.** All municipalities
2 when first incorporated under the provisions of chapter 362 shall be
3 under the mayor-council form of government.

1 SEC. 35. **Petition for change.** Municipal corporations may change
2 from one form of municipal government to any other form of municipi-
3 pal government by proceeding as follows:

4 Upon petition of electors equal in number to twenty-five per cent
5 (25%) of the votes cast for the candidate for any municipal office
6 receiving the greatest number of votes at the last preceding municipal
7 election, the mayor shall, not less than thirty (30) days prior to the
8 election to be held as herein provided, by proclamation submit the
9 question of changing the form of municipal government at a special
10 election to be held at a time specified therein and within two (2)
11 months after said petition is filed.

1 SEC. 36. **Question submitted.** At such election, the proposition
2 submitted shall be: "Shall the proposition to change the form of
3 municipal government at a special election to be held at a time speci-
4 fied therein and within two (2) months after said petition is filed,*
5 be adopted?"

1 SEC. 37. **Election of officers—time of change.** If the majority of
2 the votes cast be in favor of the proposed change in the form of municipi-
3 pal government, said change shall become effective at the beginning of
4 the year following the next regular municipal election, at which elec-
5 tion, elective officers shall be chosen as required by law for said form
6 of government.

1 SEC. 38. **Resubmission of question.** If the majority of votes cast
2 be not in favor of the proposed change in the form of municipal govern-
3 ment, the question of adopting any change in the form of municipal
4 government shall not be again submitted to the voters of said municipi-
5 pal corporation within two (2) years thereafter.

1 SEC. 39. **Frequency of change.** No municipal corporation shall
2 change its form of government, unless said form of government has
3 been in effect at least six (6) years.

1 SEC. 40. **Vested rights on change.** When a municipal corporation
2 changes its form of government, such change shall have no effect upon

*According to enrolled Act.

3 the territorial limits of said municipal corporation, nor shall it affect
4 any property, rights, or liabilities of said municipal corporation, but
5 shall go solely to the form of government.

1 SEC. 41. **Certification of adoption.** Immediately after such prop-
2 osition has been adopted, the mayor shall transmit to the governor,
3 to the secretary of state, and to the county auditor, each a certificate
4 stating that such proposition was adopted.

1 SEC. 42. **Departments to continue.** All departments in any mu-
2 nicipal corporation which has voted to change its form of government
3 shall continue to exist and function during the interim necessary to
4 effectuate reorganization under the new form.

1 SEC. 43. Sections three hundred sixty-three point one (363.1) to
2 three hundred sixty-three point five (363.5), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 44. Sections three hundred sixty-three point six (363.6) to
2 three hundred sixty-three point eight (363.8), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 45. Section three hundred sixty-three point ten (363.10),
2 Code 1950, is hereby repealed.

1 SEC. 46. Section three hundred sixty-three point thirty-five
2 (363.35), Code 1950, is hereby repealed.

1 SEC. 47. Sections four hundred sixteen point two (416.2) to four
2 hundred sixteen point five (416.5), inclusive, Code 1950, are hereby
3 repealed.

1 SEC. 48. Section four hundred sixteen point six (416.6), Code 1950,
2 is hereby repealed.

1 SEC. 49. Section four hundred sixteen point seven (416.7), Code
2 1950, is hereby repealed.

1 SEC. 50. Section four hundred sixteen point nine (416.9), Code
2 1950, is hereby repealed.

1 SEC. 51. Sections four hundred sixteen point ten (416.10), and
2 four hundred sixteen point eleven (416.11), Code 1950, are hereby re-
3 pealed.

1 SEC. 52. Section four hundred sixteen point fifteen (416.15), Code
2 1950, is hereby repealed.

1 SEC. 53. Section four hundred sixteen point sixteen (416.16), Code
2 1950, is hereby repealed.

1 SEC. 54. Section four hundred sixteen point seventeen (416.17),
2 Code 1950, is hereby repealed.

1 SEC. 55. Section four hundred sixteen point eighteen (416.18),
2 Code 1950, is hereby repealed.

1 SEC. 56. Section four hundred sixteen point nineteen (416.19),
2 Code 1950, is hereby repealed.

1 SEC. 57. Section four hundred sixteen point twenty (416.20), Code
2 1950, is hereby repealed.

1 SEC. 58. Section four hundred sixteen point twenty-one (416.21),
2 Code 1950, is hereby repealed.

1 SEC. 59. Section four hundred sixteen point twenty-two (416.22),
2 Code 1950, is hereby repealed.

1 SEC. 60. Section four hundred sixteen point twenty-three (416.23),
2 Code 1950, is hereby repealed.

1 SEC. 61. Sections four hundred sixteen point twenty-four (416.24),
2 four hundred sixteen point twenty-five (416.25), and four hundred
3 sixteen point twenty-seven (416.27) to four hundred sixteen point
4 twenty-nine (416.29), inclusive, Code 1950, are hereby repealed.

1 SEC. 62. Sections four hundred sixteen point thirty (416.30) to
2 four hundred sixteen point thirty-eight (416.38), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 63. Sections four hundred sixteen point thirty-nine (416.39)
2 and four hundred sixteen point forty (416.40), Code 1950, are hereby
3 repealed.

1 SEC. 64. Section four hundred sixteen point seventy-three (416.73),
2 Code 1950, is hereby repealed.

1 SEC. 65. Sections four hundred sixteen point eighty-eight (416.88)
2 and four hundred sixteen point eighty-nine (416.89), Code 1950, are
3 hereby repealed.

1 SEC. 66. Section four hundred sixteen point ninety-four (416.94),
2 Code 1950, is hereby repealed.

1 SEC. 67. Sections four hundred nineteen point one (419.1) to four
2 hundred nineteen point fourteen (419.14), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 68. Sections four hundred nineteen point twenty (419.20) to
2 four hundred nineteen point thirty (419.30), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 69. Sections four hundred nineteen point sixty-three (419.63)
2 to four hundred nineteen point sixty-five (419.65), inclusive, Code
3 1950, are hereby repealed.

1 SEC. 70. Section four hundred nineteen point sixty-eight (419.68),
2 Code 1950, is hereby repealed.

1 SEC. 71. Section four hundred nineteen point seventy-four (419.74),
2 Code 1950, is hereby repealed.

1 SEC. 72. Sections four hundred nineteen point seventy-five (419.75)
2 to four hundred nineteen point seventy-seven (419.77), inclusive, Code
3 1950, are hereby repealed.

1 SEC. 73. Chapter three hundred fifty-four (354), Code 1950, is
2 amended by adding the following new section: "Town sites platted and
3 unincorporated shall be known as villages."

1 SEC. 74. Section thirty-seven point eight (37.8), Code 1950, is
2 amended by striking from line one (1) of subsection two (2) the words
3 "of the first class,".

4 Further amend said section by striking from line one (1) of sub-
5 section three (3) the words "other first class" and by inserting after
6 the word "city" in said line the words "having a population of at least
7 fifteen thousand but not more than fifty thousand,".

8 Further amend said section by striking from line one (1) of sub-
9 section four (4) the words "of the second class" and inserting in lieu
10 thereof the words "having a population of less than fifteen thousand,".

1 SEC. 75. Section forty-three point one hundred twelve (43.112),
2 Code 1950, is amended as follows:

3 1. By striking from line four (4) the words "cities of the first class
4 and".

5 2. By inserting after the word "charter" in line five (5) the words
6 "in 1950".

1 SEC. 76. Section forty-three point one hundred fourteen (43.114),
2 Code 1950, is hereby repealed and the following enacted in lieu thereof:
3 "In special charter cities holding a municipal primary election under
4 the provisions of section forty-three point one hundred twelve (43.112)
5 such primary shall be held on the first Monday in October of the year
6 in which general municipal elections are held."

1 SEC. 77. Section ninety-eight point thirteen (98.13), subsection
2 three (3), paragraph (b.), Code 1950, is hereby amended by striking
3 from line one (1) the words "the second class" and inserting in lieu
4 thereof "less than fifteen thousand population".

5 Further amend said subsection by striking from line one (1) of
6 paragraph (c.) the words "the first class" and inserting in lieu thereof
7 the words "fifteen thousand or more population".

1 SEC. 78. Section two hundred seventy-seven point twenty-three
2 (277.23), Code 1950, is hereby amended by striking from line two (2)
3 the words "the first class" and inserting in lieu thereof the words
4 "fifteen thousand or more population".

1 SEC. 79. Section three hundred point one (300.1), Code 1950, is
2 amended by striking the words commencing with "cities" in line two
3 (2) and ending with "government," in line five (5) inclusive, and in-
4 serting in lieu thereof the words "any city".

5 Further amend said section by inserting a period (.) after the
6 words "such cities" in line twenty-six (26) and striking the balance
7 of the section.

1 SEC. 80. Section three hundred point two (300.2), Code 1950, is
2 amended by striking from lines three (3) to six (6) the words "of the
3 first or second class, city under special charter, or city under the com-
4 mission plan of government,".

1 SEC. 81. Section three hundred twenty-one point two hundred
2 seventy-four (321.274), Code 1950, is amended by striking from line
3 three (3) the words "the first class" and inserting in lieu thereof
4 the words "fifteen thousand or more population".

1 SEC. 82. Section three hundred forty point three (340.3), subsection
2 fourteen (14), Code 1950, is amended by striking from line two
3 (2) the words "the first class" and inserting in lieu thereof the words
4 "fifteen thousand or more population".

1 SEC. 83. Section three hundred forty point ten (340.10) subsection
2 four (4), Code 1950, is amended by striking from line three (3) the
3 words "the second class" and inserting in lieu thereof the words "less
4 than fifteen thousand population".

5 Further amend said subsection by striking from lines four (4) and
6 five (5) the words "of the second class".

1 SEC. 84. Section three hundred fifty-eight point twenty-one
2 (358.21), paragraph two (2), Code 1950, is amended by striking all of
3 lines six (6) to eight (8), inclusive, and inserting in lieu thereof the
4 following "cities and towns".

1 SEC. 85. Section three hundred sixty-seven point one (367.1),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 86. Section three hundred sixty-eight point twenty (368.20),
2 Code 1950, is amended by striking from lines one (1) to three (3) the
3 words "of the first and second class, including cities under the com-
4 mission form of government,".

1 SEC. 87. Section three hundred sixty-eight point thirty-nine
2 (368.39), Code 1950, is amended by striking from line two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 88. Section three hundred sixty-eight point forty (368.40),
2 Code 1950, is amended by striking from line thirteen (13) the words
3 "the first class" and inserting in lieu thereof the words "fifteen thou-
4 sand or more population".

1 SEC. 89. Section three hundred seventy-two point one (372.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "of the first class" and by striking from line four (4) the
4 words ", to cities of the second class".

1 SEC. 90. Section three hundred eighty point nine (380.9), Code
2 1950, is amended by striking from line one (1) the words "of the
3 second class".

4 Further amend said section by striking from lines three (3) and
5 four (4) the words "the second class" and inserting in lieu thereof
6 the words "less than fifteen thousand population".

1 SEC. 91. Section three hundred eighty-one point two (381.2),
2 Code 1950, is amended by striking from line two (2) the words "the
3 second class" and inserting in lieu thereof the words "less than fifteen
4 thousand population".

1 SEC. 92. Section three hundred eighty-one point seven (381.7),
2 Code 1950, is amended by striking from lines one (1) and two (2) the

3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 93. Section three hundred eighty-nine point fifteen (389.15),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 94. Section three hundred eighty-nine point seventeen
2 (389.17), Code 1950, is amended by striking from line two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 95. Section three hundred ninety-seven point twenty-nine
2 (397.29), Code 1950, is amended by striking from line two (2) the
3 words "of the first class".

1 SEC. 96. Section three hundred ninety-eight point one (398.1),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "of the first class, and cities of the second class".

1 SEC. 97. Section three hundred ninety-eight point five (398.5),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "of the first class, and cities of the second class".

1 SEC. 98. Section four hundred four point three (404.3), subsection
2 two (2), Code 1950, is amended by striking from line one (1) the
3 words "the first class" and inserting in lieu thereof "fifteen thousand
4 or more population".

5 Further amend said section by striking from subsection three (3),
6 line one (1) the words "of the second class" and by inserting after the
7 word "thousand" in line two (2) of said subsection the words "but
8 less than fifteen thousand".

1 SEC. 99. Section four hundred four point seven (404.7), Code 1950,
2 is amended by striking from lines one (1) and two (2) the words
3 "the first class", and inserting in lieu thereof "fifteen thousand or more
4 population".

1 SEC. 100. Section four hundred eight point sixteen (408.16), Code
2 1950, is amended by striking from line two (2) the words, "the first
3 class" and inserting in lieu thereof the words "fifteen thousand or
4 more population".

1 SEC. 101. Section four hundred fifteen point one (415.1), Code
2 1950, is amended by striking from lines one (1) and two (2) the words
3 "of the first and second class".

1 SEC. 102. Section four hundred sixteen point fifty-four (416.54),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 103. Section four hundred sixteen point fifty-five (416.55),
2 Code 1950, is amended by striking from line two (2) the words "the
3 second class" and inserting in lieu thereof the words "less than fifteen
4 thousand population".

1 SEC. 104. Section four hundred sixteen point ninety-two (416.92),
2 Code 1950, is amended by striking from line two (2) the words "of
3 the first and second class".

1 SEC. 105. Section four hundred eighteen point one (418.1), Code
2 1950, is amended by striking from lines three (3) to six (6) the words
3 "and cities having a population of more than twenty-five thousand as
4 shown by the last preceding census,".

1 SEC. 106. Sections four hundred twenty point one (420.1) to four
2 hundred twenty point seven (420.7), inclusive, Code 1950, are hereby
3 repealed.

1 SEC. 107. Section four hundred twenty point forty-eight (420.48),
2 Code 1950, is hereby repealed.

1 SEC. 108. Section three hundred sixty-three point fifty-one
2 (363.51), Code 1950, is hereby repealed.

1 SEC. 109. Section seventeen point seven (17.7), Code 1950, is
2 amended by striking from line three (3) the word "March" and insert-
3 ing in lieu thereof the word "December".

1 SEC. 110. Section three hundred ninety-eight point ten (398.10),
2 Code 1950, is amended as follows:

3 1. Insert in line seventeen (17), after the word "board", the words
4 "for the first three quarters of the fiscal year".

5 2. Strike from line nineteen (19) the word "January" and insert
6 in lieu thereof the word "April".

1 SEC. 111. The code editor is authorized to make the following
2 changes in the statutes:

3 1. Wherever in the statutes, other than in this Act, reference is
4 made to cities of the first class, the code editor is authorized to strike
5 such reference and to insert in lieu thereof reference to cities having
6 a population of fifteen thousand or over.

7 2. Wherever in the statutes, other than in this Act, reference is
8 made to cities of the second class, the code editor is authorized to strike
9 such reference and to insert in lieu thereof reference to cities having a
10 population of less than fifteen thousand.

1 SEC. 112. Section six hundred two point eleven (602.11), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 word "Monday" and inserting in lieu thereof the words "day of
4 January".

Approved May 2, 1951.