

1 SEC. 32. Section three hundred sixty-three point thirty-six
2 (363.36), Code 1950, is hereby repealed.

1 SEC. 33. Sections three hundred sixty-three point forty-six
2 (363.46) to three hundred sixty-three point forty-eight (363.48), in-
3 clusive, Code 1950, are hereby repealed.

1 SEC. 34. Sections three hundred sixty-three point forty-nine
2 (363.49) to three hundred sixty-three point fifty-nine (363.59), in-
3 clusive, Code 1950, are hereby repealed.

1 SEC. 35. Section three hundred sixty-six point ten (366.10), Code
2 1950, is hereby repealed.

1 SEC. 36. Sections four hundred sixteen point fourteen (416.14),
2 four hundred sixteen point forty-five (416.45), four hundred sixteen
3 point forty-nine (416.49), four hundred sixteen point fifty-three
4 (416.53), four hundred sixteen point ninety-five (416.95), and four
5 hundred sixteen point ninety-six (416.96), Code 1950, are hereby
6 repealed.

1 SEC. 37. Section four hundred sixteen point one hundred nine
2 (416.109), Code 1950, is hereby repealed.

1 SEC. 38. Section four hundred sixteen point one hundred ten
2 (416.110), Code 1950, is hereby repealed.

1 SEC. 39. Sections four hundred sixteen point fifty-eight (416.58)
2 to four hundred sixteen point sixty-one (416.61), inclusive, and four
3 hundred nineteen point forty-two (419.42), Code 1950, are hereby
4 repealed.

1 SEC. 40. Sections four hundred twenty point twenty-six (420.26)
2 to four hundred twenty point thirty (420.30), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 41. Sections four hundred nineteen point sixteen (419.16) to
2 four hundred nineteen point eighteen (419.18), inclusive, four hun-
3 dred nineteen point thirty-four (419.34), and four hundred nineteen
4 point thirty-five (419.35), Code 1950, are hereby repealed.

Approved May 2, 1951.

CHAPTER 148

MUNICIPAL ORDINANCES

S. F. 33

AN ACT relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter.

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

1 SECTION 1. Section three hundred sixty-six point three (366.3),
2 Code 1950, is amended by striking from lines one (1) to three (3) the

3 following words: "of a general or permanent nature and those for the
4 appropriation of money".

1 SEC. 2. Section three hundred sixty-six point four (366.4), Code
2 1950, is amended by striking from lines two (2) and three (3) the
3 following words: "for any of the purposes hereinafter set forth".

4 Further amend said section by striking the colon (:) from line
5 seven (7), inserting a period (.) in lieu thereof, and striking the
6 balance of the section.

1 SEC. 3. Sections three hundred sixty-six point seven (366.7), three
2 hundred sixty-six point eight (366.8), and three hundred sixty-six
3 point nine (366.9), Code 1950, are all repealed and the following new
4 section added to chapter three hundred sixty-six (366), Code 1950, in
5 lieu thereof:

6 "Notice of the passage, revision, or amendment of ordinances shall
7 be given to the public in the following manner:

8 1. Upon passage by the council, ordinances shall be published once
9 in the manner provided by section six hundred eighteen point fourteen
10 (618.14).

11 2. When an ordinance is revised or amended, such revision or
12 amendment shall be made in the form prescribed by section three hun-
13 dred sixty-six point two (366.2) and shall be published once in the
14 manner provided by section six hundred eighteen point fourteen
15 (618.14).

16 3. Ordinances and revisions or amendments thereof shall take effect
17 on the date of publication or at a subsequent date provided by the
18 council.

19 4. Publication of its existing ordinances in a bound or loose-leaf
20 book or pamphlet by any municipal corporation shall be prima facie
21 evidence of the passage, content, and legal publication of such ordi-
22 nances as of the date provided or mentioned therein. Copies of such
23 published ordinances shall be kept available at the clerk's office for
24 public inspection and use.

25 5. Publication by a municipal corporation, in cities having more
26 than one hundred fifty thousand (150,000) population, of its ordi-
27 nances in the form of a bound or loose-leaf municipal code, or as a new
28 edition of such municipal code, or as supplements to an existing
29 edition of such municipal code, shall be deemed a sufficient publication
30 and in lieu of publication in a newspaper, provided that: (a) Copies
31 of such bound or loose-leaf codes shall be kept available at the clerk's
32 office for public inspection and for sale at cost to the public; (b) A
33 copy of such municipal code shall be furnished to the state law library,
34 the municipal library, if any, and to a newspaper of general circula-
35 tion in the municipality; (c) Copies of all amendments, new ordi-
36 nances, and a list of repealed ordinances shall be provided, on or before
37 the tenth day of the month succeeding final action thereon by the
38 council, in the form of pamphlets or loose-leaf inserts, and made avail-
39 able to the public in the same manner as provided in paragraphs (a)
40 and (b) hereof."

1 SEC. 4. Building Codes. Any municipal corporation may adopt a
2 building code as an ordinance by the following procedure:

- 3 1. The council shall, by resolution, direct the clerk to publish notice
4 that it is proposing to adopt a building code, and that a public hearing
5 on such adoption will be held. Said notice shall be published once each
6 week for two (2) consecutive weeks, as provided in section 618.14,
7 with the date of last publication not less than five nor more than ten
8 days prior to the date of hearing. Said notice shall specify:
- 9 a. The time and place that said public hearing will be held, at which
10 hearing the council will consider arguments for or against the pro-
11 posed adoption of the building code;
- 12 b. That copies of the proposed building code may be seen or may be
13 secured at the office of the clerk.
- 14 2. After said public hearing, the council may, by resolution adopt
15 said proposed building code or may amend same.
- 16 3. If the council proposes to amend said building code, before adop-
17 tion a public hearing on the proposed amended code shall be held in
18 the same manner as herein provided for the code originally proposed.
- 19 4. Following the public hearings as herein provided, the council
20 may pass an ordinance adopting said code in its original or amended
21 form as the case may be. Said ordinance shall recite:
- 22 a. That pursuant to published notice, a public hearing or public
23 hearings had been duly held, and the council had determined that the
24 proposed building code, in its original or amended form, as the case
25 may be, should be adopted as an ordinance of the municipal corpora-
26 tion.
- 27 b. That an official copy of the building code as adopted, including a
28 certificate by the mayor as to its adoption, and its effective date, duly
29 attested by the clerk, is on file at the office of the city clerk.
- 30 4.* Amendments to existing building codes may be adopted by the
31 same procedure and attestation as herein provided for the adoption of
32 original building code ordinances.

1 SEC. 5. Every ordinance or resolution appropriating money or
2 ordering any street improvement or sewer, or making or authorizing
3 the making of any contract, or granting any franchise or right to
4 occupy or use the streets, highways, bridges, or public places in the
5 municipal corporation for any purpose, shall be complete in the form
6 in which it is finally passed, and remain on file with the city clerk for
7 public inspection at least one week before the final passage or adoption
8 thereof, and a motion therefor in writing indicating the nature of such
9 ordinance or resolution shall become part of the council's proceedings.

Approved April 30, 1951.

*According to enrolled Act.