

CHAPTER 149
MAYORS' AND POLICE COURTS

S. F. 23

AN ACT relating to the mayors and police courts of cities and towns, and to repeal various sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, and to amend chapter three hundred sixty-seven (367), Code 1950.

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

1 SECTION 1. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point twelve (363.12) is hereby
3 amended by striking all of the last sentence beginning with the word
4 "In" in line six (6).

5 2. Section three hundred sixty-three point sixteen (363.16) is hereby
6 repealed.

7 3. Section four hundred sixteen point fifty-four (416.54) is hereby
8 repealed.

9 4. Section four hundred nineteen point thirty-seven (419.37) is here-
10 by amended by striking from lines four (4) and five (5) the following:
11 "appoint a police judge or magistrate,".

12 5. Chapter three hundred sixty-seven (367) is amended by adding
13 the following: "The police court shall be presided over by a police
14 judge, who shall be appointed by the council. The council may, in lieu
15 of such appointment, provide by ordinance for the election of the police
16 judge by the entire electorate of the city. The council may by ordinance
17 empower the police judge to appoint a clerk of the police court, who
18 shall be subject to removal by said judge."

1 SEC. 2. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point eighteen (363.18) subsec-
3 tion seven (7) is hereby repealed.

4 2. Chapter three hundred sixty-seven (367) is amended by adding
5 the following: "During any vacancy in the office of police judge the
6 mayor shall hold police court."

1 SEC. 3. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point forty-four (363.44) is
3 hereby repealed.

4 2. Section three hundred sixty-three point forty (363.40) is hereby
5 repealed.

6 3. Chapter three hundred sixty-seven (367) is amended by adding
7 the following: "Police judges in criminal cases under ordinances or
8 state laws shall receive the same fees as justices of the peace receive in
9 similar cases. In criminal cases under ordinance, said fees shall be pay-
10 able from the municipal treasury, and in criminal cases under state law,
11 said fees shall be payable from the county treasury. The council may
12 by ordinance provide a salary in lieu of all fees, and thereafter all fees
13 collected shall be paid into the municipal treasury."

1 SEC. 4. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point thirty (363.30) is hereby
3 amended by striking that part thereof which commences with the word

4 "attend" in line eight (8) and ends with the word "court," in line
5 twelve (12).

6 2. Section three hundred sixty-three point forty-two (363.42) is
7 hereby repealed.

8 3. Chapter three hundred sixty-seven (367) is amended by adding
9 the following: "The marshal or his deputy shall attend upon the
10 sittings of the mayors' and police courts and perform the duties of
11 bailiff therein. The fees for such services shall be the same as con-
12 stables receive for similar services in justice of the peace court. Fees
13 shall be payable from the municipal treasury for services in connec-
14 tion with criminal cases under ordinances, and from the county
15 treasury for services in connection with criminal cases under the state
16 law. The council may by ordinance provide a salary in lieu of all fees,
17 and thereafter all fees collected shall be paid into the municipal treas-
18 ury."

1 SEC. 5. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point eighteen (363.18) sub-
3 section one (1) is hereby amended by striking the words commencing
4 with the word ", and " in line nine (9) and ending with the word
5 "city," in line thirteen (13).

6 2. Section three hundred sixty-three point thirty-nine (363.39) is
7 hereby repealed.

8 3. Section four hundred sixteen point fifty-five (416.55) is hereby
9 repealed.

10 4. Chapter three hundred sixty-seven (367) is amended by adding
11 the following: "For holding a mayor's or police court, or discharging
12 the duties of a justice of the peace, the mayor shall receive in addition
13 to his regular salary as mayor, such fees or salary as is by law or
14 ordinance provided for officers performing such duties."

1 SEC. 6. Section three hundred sixty-seven point one (367.1), Code
2 1950, is amended by adding at the end thereof the following sentence:
3 "In cities having a population of less than fifteen thousand the council
4 may by ordinance provide for the establishment of a police court."

Approved May 2, 1951.

CHAPTER 150

CITY OR TOWN GARAGES

S. F. 166

AN ACT relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns, and to amend chapter three hundred sixty-eight (368), Code of 1950, and section four hundred seven point three (407.3), Code of 1950.

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

1 SECTION 1. Chapter three hundred sixty-eight (368), Code of
2 1950, is amended by adding the following new section: "Any city or
3 town is authorized to construct and maintain garages or sheds for the
4 storage, repair and servicing of city or town motor vehicles and other
5 equipment."