

7 which fills the abolished office, the person elected thereto shall not
8 take office.

1 SEC. 5. When the duties of any officer or employee named in sec-
2 tion one (1) of this Act are assigned to an elective officer designated
3 in such section, the board of supervisors may set the salary for such
4 elective officer in lieu of the salary provided in chapter three hundred
5 forty (340), Code 1958. When the duties of any officers or employ-
6 ees are combined as permitted in this Act, the person who fills the
7 combined office shall take the oath and give the bond required for
8 each office and perform all the duties pertaining to each.

1 SEC. 6. Chapter four hundred forty-one (441), Code 1958, is
2 hereby amended by adding thereto the following:

3 "When the duties of the county assessor are combined with the
4 duties of another officer or employee as provided in this Act, the
5 person named to perform the combined duties shall be appointed
6 as provided in sections four hundred forty-one point two (441.2) and
7 four hundred forty-one point three (441.3), Code 1958."

1 SEC. 7. Section two hundred thirty-four point twelve (234.12),
2 Code 1958, is hereby amended by adding thereto the following:

3 "When the duties of the director of social welfare are combined
4 with the duties of another officer or employee as provided in this Act,
5 the person named to perform the combined duties shall be employed
6 as herein provided."

1 SEC. 8. Duties that have been combined under the provisions of
2 sections one (1) through seven (7) of this Act may be subsequently
3 separated to provide again for separate offices by petition and a vote
4 in the manner provided in section two (2) of this Act.

Approved April 28, 1959.

CHAPTER 254

COUNTY BUSINESS LICENSES

S. F. 326

AN ACT relating to the authority of the county board of supervisors to regulate and
license certain business establishments.

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

1 Chapter three hundred thirty-two (332), Code 1958, is hereby
2 amended by adding thereto the following eight (8) new sections:

1 SECTION 1. For the purpose of promoting the health, safety,
2 recreation, and general welfare of the people of the county, the
3 county board of supervisors shall have the power to regulate and
4 license outside the limits of an incorporated city or town any theatre,
5 moving picture show, pool or billiard room or table, dance hall,
6 skating rink, amusement park, bowling alley, restaurant or other
7 business establishment open to the public and located on or acces-
8 sible to a road or highway outside the limits of an incorporated city

9 or town where entertainment, foodstuffs, prepared food or drink is
10 furnished to the general public for hire, sale or profit.

1 SEC. 2. No person shall engage in the business activities specified
2 in section one (1) of this Act without first obtaining a license from
3 the county board of supervisors. Upon application being made as
4 herein provided and upon the payment of a fee prescribed by the
5 county board of supervisors, not to exceed ten (10) dollars per
6 license, the board shall issue a license to the applicant for a period
7 of not less than six (6) months nor more than one (1) year. The
8 application shall be in writing and shall state under oath:

9 1. The name and address of all owners of such business.

10 2. The business or trade name, if any, and the address of such
11 business.

12 3. The type of business activity to be engaged in.

13 4. A certification that such applicant will not permit any of the
14 activities specified in section five (5) of this Act to be engaged in on
15 the premises of such business establishment.

16 5. Such additional information as the county board of supervisors
17 may require.

1 SEC. 3. When a license is granted, the terms and conditions on
2 which the business establishment may be operated, as specified in this
3 Act, shall be entered of record in the minutes of the board of super-
4 visors and the licensee shall stand charged with notice thereof and
5 shall, on demand, be furnished with a copy of such terms and condi-
6 tions upon the payment of the cost of furnishing such copy to the
7 licensee.

1 SEC. 4. All license fees shall be credited to the county general
2 fund and all necessary expenses incurred in licensing and regulating
3 the business establishments specified in this Act shall be paid out of
4 the county general fund.

1 SEC. 5. The county board of supervisors may revoke a license
2 whenever any licensee, or agent, employee or servant of any licensee,
3 permits any intoxicated person to be in or remain upon the premises,
4 or permits any profane or obscene language, lewd or lascivious acts,
5 indecent or suggestive dancing or fighting or quarreling, to be ut-
6 tered, done or engaged in upon the premises, or whenever necessary
7 to promote the health, safety, recreation or general welfare of the
8 people of the county. In the event any license is revoked the licensee
9 shall be repaid a pro rata part of the license fee.

1 SEC. 6. The county board of supervisors shall have the power by
2 order of the district court to abate, restrain, or prohibit any business
3 establishment where drunkenness, quarreling, fighting, or breaches
4 of the peace are carried on or permitted to the disturbance of others,
5 or where any other nuisance, public or private, is maintained.

1 SEC. 7. Any person whose license has been revoked or whose busi-
2 ness establishment has been restrained or prohibited by the action of
3 the county board of supervisors may appeal therefrom to the district
4 court of that county by serving a notice on the chairman of the county
5 board of supervisors within twenty (20) days after the final decision

6 of the board. Such appeal shall be tried by the district court de novo
7 and in equity.

1 SEC. 8. Any person who violates any of the provisions of this Act,
2 or who violates any of the terms or conditions under which he is per-
3 mitted to engage in the business activity for which he was licensed,
4 shall be fined a sum not to exceed twenty-five (25) dollars.

1 SEC. 9. Chapter three hundred sixty-one (361), Code 1958, is
2 hereby repealed.

Approved May 6, 1959.

CHAPTER 255

RECORDING OF INSTRUMENTS

H. F. 19

AN ACT relating to the recording of instruments.

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

1 SECTION 1. Section three hundred thirty-five point two (335.2),
2 Code 1958, is hereby amended by adding thereto the following:
3 "All instruments filed for recordation with the recorder shall have
4 typed or legibly printed the names of all signers thereon, excluding
5 those of the acknowledging officers and witnesses, beneath the orig-
6 inal signatures; provided, however, that in the event that such instru-
7 ment does not contain such typed or printed names, the recorder shall
8 accept such instrument for recordation if accompanied by an affidavit,
9 for record with the instrument, correctly spelling in legible print or
10 type the signatures appearing on said instrument. This requirement
11 shall not apply to military discharges or military instruments, nor to
12 wills or court records, or to any other instrument dated prior to the
13 effective date of this Act. Failure to print or type signatures as herein
14 designated shall not invalidate the instrument."

1 SEC. 2. Section three hundred thirty-five point fourteen (335.14),
2 subsection two (2), Code 1958, is hereby amended by striking the
3 period (.) at the end thereof and inserting a semicolon (;) in lieu
4 thereof and adding thereto the following: "provided in those coun-
5 ties where photostatic, photographic or other similar processes are
6 in use, the fees shall not exceed one dollar fifty cents (\$1.50) for the
7 first page or fraction thereof of any instrument and one dollar (\$1.00)
8 for each additional page."

Approved March 19, 1959.