

- 3 1. By striking the period (.) after the word "accordingly" in line  
 4 sixteen (16) and inserting in lieu thereof the following:  
 5 "and any such unlawful act as above described is hereby declared  
 6 to be a nuisance and may be abated as such."  
 7 2. By adding thereto the following:  
 8 "Said governing body shall also have the power to repair any ditch,  
 9 drain or watercourse, or any levee or bank of any settling basin dam-  
 10 aged by any person or persons in violation of the resolution of said  
 11 governing body, after three (3) days notice to such person or persons  
 12 to make such repair, in the event that there is a failure to do so, and  
 13 the expense thereof shall be assessed to such person or persons and  
 14 shall be certified and collected as other taxes."

Approved April 14, 1959.

## CHAPTER 310

### WATER PERMIT FEES

H. F. 175

AN ACT relating to filing fees for water permits.

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

- 1 SECTION 1. Subsection five (5), section four hundred fifty-five A  
 2 point nineteen (455A.19), Code 1958, is amended by striking from  
 3 line two (2) the words, "ten dollars" and inserting in lieu thereof the  
 4 words, "fifteen dollars".  
 1 SEC. 2. Subsection five (5), section four hundred fifty-five A point  
 2 nineteen (455A.19), Code 1958, is further amended by adding the fol-  
 3 lowing sentence: "Such fee shall be used by the council for admin-  
 4 istering this chapter, including the payment of expenses incurred in  
 5 publishing legal notice."

Approved March 16, 1959.

## CHAPTER 311

### NATURAL RESOURCES COUNCIL

S. F. 80

AN ACT relating to powers of the Iowa natural resources council.

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

- 1 SECTION 1. Section four hundred fifty-five A point thirty-three  
 2 (455A.33), Code of Iowa 1958, is amended by striking from line  
 3 twenty-four (24) the word "on" and inserting in lieu thereof the  
 4 words "after an investigation or".  
 1 SEC. 2. Section four hundred fifty-five A point thirty-three  
 2 (455A.33), Code of Iowa 1958, is further amended by striking from  
 3 line twenty-six (26) the period (.) and inserting in lieu thereof the  
 4 words "upon such terms and conditions as it may prescribe."

1 SEC. 3. Section four hundred fifty-five A point thirty-six  
2 (455A.36), Code 1958, is amended by striking from line thirteen (13)  
3 the word, "on" and inserting in lieu thereof the words, "after an in-  
4 vestigation or".

Approved February 12, 1959.

## CHAPTER 312

### DRAINAGE AND LEVEE DISTRICTS

S. F. 398

AN ACT relating to powers and duties of the board, or boards of supervisors, or trustees in drainage and levee districts with pumping stations to prevent injury to the levees maintained by said districts, and providing penalties for the violation thereof.

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

1 Chapter four hundred sixty-one (461), Code 1958, is hereby amend-  
2 ed by adding thereto the following new sections:

1 SECTION 1. No person, firm or corporation shall hereafter erect,  
2 alter, or maintain any building or other structure, except necessary  
3 public utility structures, or construct, alter, or maintain any ditch, or  
4 remove any earth within three hundred (300) feet of the centerline  
5 of any levee maintained by a drainage or levee district with pumping  
6 stations without first securing permission to so do from the govern-  
7 ing board of said drainage or levee district with pumping stations.  
8 Such permission may be granted at any regular meeting thereof, and  
9 after written application is made therefor upon the form prescribed  
10 by said governing board.

1 SEC. 2. Every person who shall violate any provisions of this  
2 chapter shall be guilty of a misdemeanor punishable by a fine of not  
3 more than one hundred (100) dollars, and in default of payment  
4 thereof, by imprisonment in the county jail for not more than thirty  
5 (30) days.

1 SEC. 3. In the event that any building or other structure, or any  
2 ditch is constructed, altered or maintained, or any earth removed in  
3 violation of any provisions of this chapter, the governing board of  
4 said drainage or levee district with pumping stations maintaining said  
5 levee, may institute an appropriate action or proceeding to prevent  
6 such unlawful construction, alteration, or maintenance, or earth re-  
7 moval and to restrain, correct, or abate such violation, and may by  
8 petition duly verified, setting forth the facts, apply to the district  
9 court, or to any judge thereof in termtime, or in vacation, for an  
10 order enjoining all persons, firms or corporations from such construc-  
11 tion, alteration, maintenance, or earth removal, until the entry of the  
12 final judgment or order.

1 SEC. 4. In addition to all other penalties contained herein, any  
2 person, firm or corporation who shall construct, alter or maintain any  
3 building, other structure, or any ditch, or remove earth, in violation