

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

4 of this chapter, shall be liable to the drainage or levee district with
 5 pumping stations maintaining said levee, for all damage sustained by
 6 the drainage or levee district resulting from the violation, and in the
 7 event of flood, or other emergency so declared by resolution of the gov-
 8 erning body any building or other structure, or ditch so constructed
 9 without permission of the governing board, as required herein, and
 10 within three hundred (300) feet of the center line of any levee, may
 11 be removed, or the ditch filled in, without prior notice thereof to the
 12 owner.

Approved April 14, 1959.

CHAPTER 313

DRAINAGE TO HIGHWAY

S. F. 52

AN ACT relating to drainage that runs to a public highway.

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

1 SECTION 1. Section four hundred sixty-five point twenty-three
 2 (465.23), Code 1958, is hereby amended as follows:

3 1. By inserting in line fifteen (15) of such section after the word,
 4 "line" the words, "or drainage ditch".

5 2. By striking from line eighteen (18) of such section the word,
 6 "drain" and by inserting in lieu thereof the words, "line or drainage
 7 ditch".

Approved March 23, 1959.

CHAPTER 314

SOIL CONSERVATION SUBDISTRICTS

H. F. 452

AN ACT to provide for the powers and duties of subdistricts of soil conservation dis-
 tricts.

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

1 SECTION 1. Chapter four hundred sixty-seven A (467A), Code
 2 1958, is hereby amended by adding thereto the following new section:
 3 "A subdistrict organized under the provisions of this chapter shall
 4 have all of the powers of a soil conservation district in addition to
 5 other powers granted to the subdistrict in other sections of this chap-
 6 ter."

Approved April 27, 1959.