permanent closure of a nonpublic school, revocation of a charter school contract as provided in section 256F.8, the failure of negotiations for a whole-grade sharing, reorganization, dissolution agreement or the rejection of a current whole-grade sharing agreement, or reorganization plan. If the good cause relates to a change in status of a child’s school district of residence, however, action by a parent or guardian must be taken to file the notification within forty-five days of the last board action or within thirty days of the certification of the election, whichever is applicable to the circumstances.

Sec. 6. 2002 Iowa Acts, chapter 1124, section 14, as amended by 2002 Iowa Acts, chapter 1175, section 96, is amended to read as follows:

SEC. 14. EXPEDITED APPLICATION PROCEDURE. The state board of education shall develop an expedited charter school application procedure for the fiscal year beginning not later than July 1, 2002 2004, for purposes of receiving distributing federal planning funds issued pursuant to the federal Elementary and Secondary Education Act of 1965, Title X, Part C, as codified in 20 U.S.C. §§ 8061-8067.

Sec. 7. 2002 Iowa Acts, chapter 1124, section 16, is amended by striking the section and inserting in lieu thereof the following:

SEC. 16. APPLICABILITY DATE. This Act applies on the date by which the department of education initiates implementation in accordance with the provisions of section 256F.3, subsection 1. The department of education shall notify the Code editor upon initiating implementation in accordance with this section and section 256F.3, subsection 1.

Sec. 8. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 28, 2003

CHAPTER 80
CITY COUNCILS — REDUCTIONS IN MEMBERSHIP
S.F. 230

AN ACT relating to the procedure for reducing the number of members of a city council from five to three in certain cities and providing an effective date.

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

Section 1. Section 372.4, Code 2003, is amended to read as follows:

372.4 MAYOR-COUNCIL FORM.

1. A city governed by the mayor-council form has a mayor and five council members elected at large, unless the council representation plan is changed pursuant to section 372.13, subsection 11. The council may, by ordinance, provide for a city manager and prescribe the manager’s powers and duties, and as long as the council contains an odd number of council members, may change the number of wards, abolish wards, or increase the number of council members at large without changing the form.

However, a city governed, on July 1, 1975, by the mayor-council form composed of a mayor and a council consisting of two council members elected at large, and one council member
from each of four wards, or a special charter city governed, on July 1, 1975, by the mayor-
council form composed of a mayor and a council consisting of two council members elected
at large and one council member elected from each of eight wards, may continue until the form
of government is changed as provided in section 372.2 or section 372.9. While a city is thus
operating with an even number of council members, the mayor may vote to break a tie vote
on motions not involving ordinances, resolutions or appointments made by the council alone,
and in a special charter city operating with ten council members under this section, the mayor
may vote to break a tie vote on all measures.

2. The mayor shall appoint a council member as mayor pro tem, and shall appoint and dis-
miss the marshal or chief of police except where an intergovernmental agreement makes other
provisions for police protection or as otherwise provided in section 400.13. However, the ap-
pointment and dismissal of the marshal or chief of police are subject to the consent of a major-
ity of the council. Other officers must be selected as directed by the council. The mayor is not
a member of the council and shall not vote as a member of the council.

3. In a city having a population of between five hundred and five thousand or less, the city
council may, or shall upon petition of the electorate meeting the numerical requirements of
section 372.2, subsection 1, submit a proposal at the next regular or special city election to re-
duce the number of council members to three. If a majority of the voters voting on the proposal
approves it, the proposal is adopted. If the proposal is adopted, the new council shall be elected
at the next regular or special city election. The council shall determine by ordinance whether
the three council members are elected at large or by ward.

4. In a city having a population of less than five hundred, the city council may adopt a resolu-
tion of intent to reduce the number of council members from five to three and shall call a public
hearing on the proposal. Notice of the time and place of the public hearing shall be published
as provided in section 362.3, except that at least ten days' notice must be given. At the public
hearing, the council shall receive oral and written comments regarding the proposal from any
person. Thereafter, the council, at the same meeting as the public hearing or at a subsequent
meeting, may adopt a final resolution to reduce the number of council members from five to
three or may adopt a resolution abandoning the proposal. If the council adopts a final resolu-
tion to reduce the number of council members from five to three, a petition meeting the same
requirements specified in section 362.4 for petitions authorized by city code may be filed with
the clerk within thirty days following the effective date of the final resolution, requesting that
the question of reducing the number of council members from five to three be submitted to the
registered voters of the city. Upon receipt of a petition requesting an election, the council shall
direct the county commissioner of elections to put the proposal on the ballot for the next regu-
lar city election. If the ballot proposal is adopted, the new council shall be elected at the next
following regular city election. If a petition is not filed, the council shall notify the county com-
misssioner of elections by July 1 of the year of the regular city election and the new council shall
be elected at that regular city election. If the council notifies the commissioner of elections
after July 1 of the year of the regular city election, the change shall take effect at the next fol-
nowing regular city election. The council shall determine by ordinance whether the three coun-
cil members are elected at large or by ward.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect
upon enactment.

Approved April 28, 2003