

January 16, 1951.  
Passed on File.

**House File 55**  
By CROSIER, NELSON of Woodbury.

Passed House, Date .....  
Vote: Ayes..... Nays.....  
Passed Senate, Date .....  
Vote: Ayes..... Nays.....  
Approved .....

## A BILL FOR

An Act relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter.

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

1 Section 1. Section three hundred sixty-six point two  
2 (366.2), Code 1950, is amended by striking all of the last  
3 sentence beginning with the word "When" in line eight (8).

1 Sec. 2. Section three hundred sixty-six point three  
2 (366.3), Code 1950, is amended by striking from lines one (1)  
3 to three (3) the following words: "of a permanent and general  
4 nature and those for the appropriation of money".

1 Sec. 3. Section three hundred sixty-six point four  
2 (366.4), Code 1950, is amended by striking from lines two (2)  
3 and three (3) the following words: "for any of the purposes  
4 hereinafter set forth".

5 Further amend said section by striking the colon (:)  
6 from line seven (7), inserting a period (.) in lieu thereof,  
7 and striking the balance of the section.

1 Sec. 4. Sections three hundred sixty-six point seven

2 (366.7), three hundred sixty-six point eight (366.8), and  
3 three hundred sixty-six point nine (366.9), Code 1950, are  
4 all repealed and the following new section added to chapter  
5 three hundred sixty-six (366), Code 1950, in lieu thereof:

6 Notice of the passage, revision, or amendment of  
7 ordinances shall be given to the public in the following  
8 manner:

9 1. Upon passage by the council, ordinances shall be  
10 published once in the manner provided by section six hundred  
11 eighteen point fourteen (618.14), Code 1950.

12 2. When an ordinance is revised or amended, such  
13 revision or amendment shall be made in the form prescribed by  
14 section three hundred sixty-six point two (366.2), Code 1950,  
15 and shall be published once in the manner provided by section  
16 six hundred eighteen point fourteen (618.14), Code 1950.

17 3. When a city or town adopts sections of the state  
18 law or sections of departmental regulations as ordinances,  
19 publication shall be made of the fact of such adoption, the  
20 subject of the sections adopted, and the citation at which  
21 they may be found in the state law or published departmental  
22 regulations and in the ordinances. Such publication shall be  
23 made in the manner provided by section six hundred eighteen  
24 point fourteen (618.14), Code 1950.

25 4. Ordinances and revisions or amendments thereof shall  
26 take effect on the date of publication or at a subsequent  
27 date provided by the council.

28 5. Publication of its existing ordinances in a bound  
29 or loose-leaf book or pamphlet by any municipal corporation  
30 shall be prima-facie evidence of the passage, content, and  
31 legal publication of such ordinances as of the date provided  
32 or mentioned therein. Copies of such published ordinances  
33 shall be kept available at the clerk's office for public  
34 inspection and use.

1 Sec. 5. Building Codes. Any municipal corporation may  
2 adopt a building code as an ordinance by the following procedure:

3 1. The Council shall, by resolution, direct the clerk  
4 to publish notice that it is proposing to adopt a building  
5 code, and that a public hearing on such adoption will be held.  
6 Said notice shall be published once each week for two (2)  
7 consecutive weeks, as provided in section 618.14, with the  
8 date of last publication not less than five nor more than ten  
9 days prior to the date of hearing. Said notice shall specify:

10 a. The time and place that said public hearing  
11 will be held, at which hearing the council will consider  
12 arguments for or against the proposed adoption of the building  
13 code;

14 b. That copies of the proposed building code may be  
15 seen or may be secured at the office of the clerk;

16 2. After said public hearing, the council may, by  
17 resolution adopt said proposed building code or may amend same.

18 3. If the council proposes to amend said building code,  
19 before adoption a public hearing on the proposed amended code

20 shall be held in the same manner as herein provided for the  
21 code originally proposed.

22 4. Following the public hearings as herein provided,  
23 the council may pass an ordinance adopting said code in its  
24 original or amended form as the case may be. Said ordinance  
25 shall recite:

26 a. That pursuant to published notice, a public  
27 hearing or public hearings had been duly held, and the council  
28 had determined that the proposed building code, in its  
29 original or amended form, as the case may be, should be  
30 adopted as an ordinance of the municipal corporation.

31 b. That an official copy of the building code as  
32 adopted, including a certificate by the mayor as to its  
33 adoption, and its effective date, duly attested by the clerk,  
34 is on file at the office of the city clerk.

35 4. Amendments to existing building codes may be  
36 adopted by the same procedure and attestation as herein  
37 provided for the adoption of original building code ordinances.

EXPLANATION OF H. F. 55

The purpose of this bill is to amend Chapter 366 of the Code which relates to municipal ordinances to eliminate conflicts and duplications in the language of said chapter, to provide a procedure for the adoption of state laws or departmental regulations as ordinances, and to provide a procedure for the adoption of municipal building codes.