

January 25, 1951.
Cities and Towns.

House File 196

By CROSIER and NELSON of Woodbury,
(Hattery and Dykhouse).

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act relating to the forms of government, classification, and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto.

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

Sections one (1) to nine (9) and fifteen (15) to forty (40) hereof are enacted as a new chapter to be added to Title XV of the Code.

FORMS OF MUNICIPAL GOVERNMENT

- 1 Section 1. Forms enumerated. The form of government of
- 2 a municipal corporation shall be one of the following:
- 3 a. Mayor-Council form,
- 4 b. Commission form,
- 5 c. Council-Manager form by ordinance,
- 6 d. Council-Manager form by popular election.
- 7 (New, enumerates forms provided by chs. 363, 416, 418, and
- 8 419, C50.)

1 Sec. 2. Applicability. This chapter shall apply to all

2 municipal corporations, and to all forms of municipal govern-
3 ment, except as otherwise provided by laws relating to a par-
4 ticular form of government, and except as provided by section
5 forty-three point one hundred twelve (43.112), Code 1950. (New).

1 Sec. 3. The governing body. The governing body of all
2 municipal corporations shall be the mayor and council, chosen by
3 the electorate as provided by this chapter. All legislative and
4 other powers granted to municipal corporations shall be exercised
5 by the council, except those conferred upon some officer by law
6 or ordinance. All executive functions and powers shall be exercised
7 by the mayor and other officers and boards, and neither the council
8 nor the members thereof shall exercise any executive functions
9 unless expressly conferred by law. (363.35, 416.44, 416.88, 419.64,
10 C50, revised.)

1 Sec. 4. Classification. Municipal corporations are divided
2 into cities and towns.

3 1. Any municipal corporation which has a population of two
4 thousand (2,000) or more is a city.

5 2. Any municipal corporation which has a population less
6 than two thousand (2,000) is a town. (363.1, C50, revised.)

7 (Also see sec. 71 et seq of this bill.)

1 Sec. 5. Change of class—loss of population. Within
2 sixty (60) days after the publication of any Federal census,
3 the executive council shall cause a statement and list of each
4 city or town affected thereby in its class as a corporation to
5 be published in some newspaper at the seat of government, and

6 in each city and town, the class of which is changed. No city
7 shall be affected in its classification by a subsequent loss of
8 population unless its population falls below fifteen hundred (1,500).
9 (363.2, C50, revised.)

1 Sec. 6. Change of class—ordinances. Before the next
2 election in a city or town, after a change of class, the council
3 shall make and publish such ordinances as are necessary to perfect
4 such organization, in respect to the election, duties, and com-
5 pensation of officers. All assets and property of the corporation
6 shall be held and administered as provided by law for its new
7 class. (363.3, C50, revised.)

1 Sec. 7. Wards. Cities may be by ordinance divided into
2 wards, new wards created, or the boundaries changed, but in all
3 cases the boundaries of wards shall be as far as practicable
4 established so as to give all wards an equal population. The
5 number of wards in any city shall not exceed six (6), nor be less
6 than two (2). (363.4, C50, revised).

ELECTIONS

1 Sec. 8. When held—voting places. Except as hereinafter
2 provided, regular municipal elections shall be held on the Tuesday
3 next, after the first Monday in November, of odd numbered years,
4 and elective officers shall be chosen biennially to succeed officers
5 whose terms expire on December 31st, following said election.
6 Voting places shall be fixed by the council, and at least one poll-
7 ing place provided for each precinct or ward, as the case may be.
8 (363.5, C50, revised.)

1 Sec. 9. Terms of office. All elective municipal officers
2 shall be elected for a term of office of four (4) years, except
3 as hereinafter provided. (363.5, 419.11, C50, revised to provide
4 four year terms.)

CHANGING TO FOUR YEAR TERMS

1 Sec. 10. Transition from municipal election in March, 1950.
2 All municipal corporations, except those operating under the
3 provisions of chapter four hundred nineteen (419), Code 1950, in
4 which the last regular municipal election was held in March, 1950,
5 shall hold the next regular municipal election in November, 1951,
6 as provided in section eight (8) hereof. At said election, elec-
7 tive officers shall be chosen to succeed those whose terms of office
8 expire on the first Monday in April, 1952. The mayor, one half of
9 the members of the council, as nearly as may be, and other elec-
10 tive officers shall be elected to terms of office which expire
11 December 31, 1953, as provided in section twelve (12), hereof.
12 All succeeding regular municipal elections shall be held as pro-
13 vided in section eight (8), hereof. (Temporary).
14 (Referred to in sec. 12.)

1 Sec. 11. Transition from election in March 1949. All muni-
2 cipal corporations, except those operating under the provisions
3 of chapter four hundred nineteen (419), Code 1950, in which the
4 last regular municipal election was held in March, 1949, shall
5 hold the next regular municipal election in March, 1951. At
6 said election, elective officers shall be chosen to succeed
7 those whose terms expire on the first Monday in April, following

8 said election, and said officers shall be elected to terms that
9 expire on December 31, 1953. Thereafter regular municipal elec-
10 tions shall be held as provided in section eight (8), hereof, and
11 at the regular municipal election held in 1953, the mayor, one-
12 half of the members of the council, as nearly as may be, and other
13 elective officers shall be elected for four year terms, and the
14 rest of the members of the council shall be elected for two year
15 terms of office, as provided in section twelve (12), hereof.
16 (Temporary).

17 (Referred to in sec. 12.)

1 Sec. 12. Transition terms—councilmen. In municipal
2 corporations where some of the members of the council are elected
3 by wards, members of the council, representing even-numbered wards,
4 and one of the councilmen at large, shall be elected to the longer
5 terms provided in sections ten (10) and eleven (11), hereof. In
6 municipal corporations operating under the provisions of chapter
7 four hundred sixteen (416), Code 1950, and having two councilmen,
8 the superintendent of parks and public property, streets and public
9 improvements shall be elected for said longer term. In such
10 municipal corporations having four councilmen, the superintendent
11 of parks and public property, and the superintendent of streets
12 and public improvements shall be elected for said longer terms. In
13 municipal corporations where all members of the council are elected
14 at large, the length of term for each candidate shall be
15 determined by lot by the mayor and the clerk, after the nomination
16 petitions are filed, and before the election ballots are printed.

17 If the number of councilmen to be elected is an odd number, the
18 majority shall be elected to said shorter term. In all cases,
19 the dates of beginning and ending of the term of office sought
20 by each candidate for the council shall be specified under said
21 candidate's name on the ballot. (Temporary).

22 (Referred to in secs. 10, 11.)

1 Sec. 13. Certain cities with election in 1950. All municipal
2 corporations operating under the provisions of chapter four
3 hundred nineteen (419), Code 1950, in which the last regular
4 municipal election was held in 1950, shall hold a regular municipal
5 election in November, 1951, as provided in section eight (8), hereof.
6 At said election, elective officers shall be chosen to succeed
7 those whose terms expire on the first Monday in April following
8 said officers shall be elected for terms of office which expire
9 December 31, 1955. Similarly, at the regular municipal election
10 held in November 1953, elective officers shall be chosen to
11 succeed those whose terms expire on the first Monday in April,
12 1954, and said officers shall be elected for terms which expire
13 December 31, 1957. All succeeding regular municipal elections
14 shall be held as provided in section eight (8), hereof. (Temporary).

1 Sec. 14. Certain cities with election in March, 1949.

2 All municipal corporations operating under the provisions of
3 chapter four hundred nineteen (419), Code 1950, in which the
4 last regular municipal election was held in March, 1949, shall
5 hold their next regular municipal election in March, 1951. At
6 said election, elective officers shall be chosen to succeed

7 those whose terms expire on the first Monday in April following
 8 said election, for terms of office which expire on December 31,
 9 1955. At said election, elective officers shall also be chosen
 10 to succeed those whose terms expire in April, 1953, for a term
 11 of office commencing on the first Monday in April, 1953, and
 12 ending December 31, 1953. Thereafter all regular municipal
 13 elections shall be held as provided in section eight (8),
 14 hereof. (Temporary.)

NOMINATION OF CANDIDATES.

1 Sec. 15. Candidates—filing. Any person desiring to
 2 become a candidate for any elective municipal office shall, at
 3 least four (4) weeks prior to the election, file with the
 4 clerk of the municipal corporation a petition signed by qualified
 5 voters equaling in number at least two per cent (2%) of the
 6 greatest number of votes cast for any candidate for such office
 7 at the last regular municipal election, and in no case less
 8 than ten (10), requesting that his (or her) name be printed upon
 9 the official election ballot. (416.20. C50, revised.)

1 Sec. 16. Form of petition. Said petition shall be in
 2 substantially the following form:

3 •Candidate's petition.

4 The undersigned, duly qualified electors of the munici-
 5 pal corporation of, and residing at the places
 6 set opposite our respective names hereto, hereby request
 7 that the name of (name of candidate) be placed on the ballot
 8 as a candidate for (here specify office) at the regular

9 municipal election to be held in said incorporated munici-
10 pality on the (specify date of regular municipal election).

11 We further state that we know the aforesaid person to
12 be a qualified elector of said municipal corporation, a
13 person of good moral character, and qualified in our judg-
14 ment for the duties of said office.

15 Name of qualified elector	Address
	(including street and resi-
	dence numbers, if any)

18

19

20 (416.21, C50, revised.)

1 Sec. 17. Affidavit — signer’s qualifications. The
2 affidavit of one or more electors of the municipal corpo-
3 ration, as to the qualifications and address of each signer
4 of the petition shall be endorsed on or attached to each
5 petition. When a municipal officer is elected to represent
6 a ward, signers of his petition must be qualified electors
7 of that ward. (416.22, C50, revised.)

1 Sec. 18. Candidate’s affidavit. The candidate’s
2 petition shall be accompanied by an affidavit by said candi-
3 date in substantially the following form:

4 State of Iowa }
5County } ss

6 I, (name), being first duly sworn, say that I
7 reside at (address, including residence and street number,

8 if any) ; that I am a qualified voter therein; that I am a
 9 candidate for the office of (here specify the office) to be
 10 voted on at the regular municipal election to be held on
 11 (specify date), and I hereby request that my name be printed
 12 upon the official ballot for said election. I furthermore
 13 declare that if elected, I shall qualify for said office.

14 Signed.....

15 Subscribed and sworn to (or affirmed) before me by
 16, on this day of.....,
 17 19.....

18

19 Official signature of officer administering oath.

20 (416.19, C50, revised.)

1 Sec. 19. Population 10,000 or less — procedure.

2 Four weeks prior to the election, the clerk and mayor shall
 3 canvass the petitions of all candidates that have been
 4 filed with the clerk, and in all municipal corporations
 5 having a population of ten thousand (10,000) or less, as
 6 shown by the latest Federal census, shall find all candi-
 7 dates that have filed proper petitions, as herein provided,
 8 to be the nominees for the offices sought. The clerk shall
 9 then do all things necessary for conducting the election.

10 The election shall be conducted in the manner provided by
 11 law for general elections. (416.18, C50, revised.)

1 Sec. 20. Population over 10,000—procedure. In

2 cities having a population of more than ten thousand

3 (10,000), as shown by the latest Federal census, the pro-
4 cedure shall be as follows:

5 If the clerk and mayor find that the number of candi-
6 dates for any office, as shown by candidates' petitions
7 filed with the clerk, be not more than twice the number of
8 persons that may be elected to said office, said candidates
9 shall be found to be the nominees, and for said office no
10 primary election shall be held. For any office or offices,
11 for which the number of candidates, as shown by the
12 candidates' petitions filed with the clerk, is found to be
13 more than twice the number of persons that may be elected
14 to said office or offices, the nominees shall be determined
15 by a municipal primary election, as hereinafter provided.
16 The clerk and mayor shall file a written report with the
17 council, stating the nominees for such office or offices,
18 if any, for which no municipal primary election is required,
19 and also stating the office, or offices, if any, for which
20 the nominees shall be determined by a municipal primary election.
21 (New).

1 Sec. 21. Primary election—time. The municipal primary
2 election shall be held on the second Tuesday prior to the regu-
3 lar municipal election. (416.17, C50, revised.)

1 Sec. 22. Names on ballot. The only persons whose name shall
2 be printed on the municipal primary election ballots shall be
3 the candidates for the office, or offices, for which the number
4 of candidates is more than twice the number of persons that may

5 be elected to said office, or offices. (New).

1 Sec. 23. Publication of ballot. The clerk shall forthwith
2 cause to be published once in a newspaper or newspapers published
3 within the municipal corporation and of general circulation there-
4 in, in proper form, the names of persons as they are to appear
5 upon the municipal primary ballot. (416.23, C50, revised.)

1 Sec. 24. Primary election procedure. In conducting
2 municipal primary elections, the same procedure shall be followed
3 as that provided for the conduct of general elections, except
4 as herein modified. (416.17, C50, revised.)

1 Sec. 25. Qualifications of voters. Each qualified
2 elector may vote at said municipal primary election, and at
3 the regular municipal election which follows, who for ten
4 days has been a resident of the precinct in which he offers
5 to vote. Electors who are registered and otherwise quali-
6 fied, and who change residence from the precinct where
7 registered to another precinct within ten days preceding the
8 election, may vote in the precinct where registered except
9 at elections where councilmen are to be elected by the voters
10 of a ward. (363.6, C50, revised.)

1 Sec. 26. Tie votes—contests. A tie vote for
2 nomination or election to any elective municipal office
3 shall be determined as provided in the title on elections.
4 The nomination or election of any person to a municipal
5 office may be contested on the same grounds and in the same
6 manner provided for contesting elections to county offices,

7 so far as applicable. The mayor shall be the presiding
8 officer of the court, but if the mayor's nomination or
9 election is contested, the council shall elect one of its
10 members to be the presiding officer. (363.7, C50, revised.)

11 Tie votes, 50.64, C50. Contesting elections, Ch 62, C50.

1 Sec. 27. Qualifications of officers. Every official
2 elected by a municipality shall be a qualified voter there-
3 of, and every official elected by the voters of any ward of
4 a municipal corporation shall reside within the limits of
5 said ward. (363.8, C50, revised.)

1 Sec. 28. Returns canvassed. On the day following the
2 municipal primary election, the clerk shall publicly canvass
3 said election returns and shall report the results thereof
4 to the council. For municipal officers for which but one
5 person is to be elected, the number of nominees, as deter-
6 mined by the municipal primary election, shall be twice the
7 number of persons to be elected and the candidates receiving
8 the greatest number of votes shall be the nominees. (416.32,
9 C50, revised.)

1 Sec. 29. Report to council. The clerk's report to the
2 council shall list the nominees for all offices to be filled
3 at the forthcoming municipal election and shall show whether
4 nomination was by municipal primary election, or by petition.
5 (416.32, C50, revised.)

MUNICIPAL ELECTIONS

1 Sec. 30. Municipal election procedure. The municipal

2 election shall be conducted in the manner provided by law
3 for conducting general elections. (363.5, C50, revised.)

4 (Method of conducting elections, ch. 49, C50.)

1 Sec. 31. Officers elected at large. In all municipal
2 corporations, except those under the council-manager plan
3 by popular election, the mayor shall be elected by the entire
4 electorate. Members of the council may be elected by wards,
5 or by the entire electorate, as hereinafter provided. (363.10,
6 C50, revised.)

1 Sec. 32. Time of taking office. All elected municipal
2 officers shall take office on or before noon of the second
3 secular day of January following their election. (New).

1 Sec. 33. The fiscal year. The fiscal year for all
2 municipal corporations and for all departments, boards, and
3 commissions thereof shall begin on the first day of January
4 each year and shall end on December thirty-first following.
5 (363.51, C50, revised.)

1 Sec. 34. Government of new corporations. All munic-
2 ipalities when first incorporated under the provisions
3 of Chapter 362 shall be under the mayor-council form of
4 government. (New, similar provision, 362.7, C50).

1 Sec. 35. Petition for change. Municipal corporations
2 may change from one form of municipal government to any other
3 form of municipal government by proceeding as follows:

4 Upon petition of electors equal in number to twenty-five
5 per cent (25%) of the votes cast for the candidate for councilman

6 receiving the greatest number of votes at the last preceding munic-
7 ipal election shall, not less than thirty (30) days prior to the
8 election to be held as herein provided, by proclamation submit the
9 question of changing the form of municipal government at a
10 special election to be held at a time specified therein and
11 within two (2) months after said petition is filed. (416.3,
12 416.6, 419.2, C50, revised and combined.)

1 Sec. 36. Question submitted. At such election, the
2 proposition submitted shall be: "Shall the proposition to
3 change the form of municipal government at a special election
4 to be held at a time specified therein and within two (2)
5 months after said petition is filed, be adopted?" (416.3,
6 416.6, 419.1, 419.2, C50, revised and combined.)

1 Sec. 37. Election of officers—time of change. If
2 the majority of the votes cast be in favor of the proposed
3 change in the form of municipal government, said change shall
4 become effective at the beginning of the year following the
5 next regular municipal election, at which election, elective
6 officers shall be chosen as required by law for said form
7 of government. (416.8, 416.9, 416.15, 419.7, 419.9, C50,
8 revised and combined.)

1 Sec. 38. Resubmission of question. If the majority of
2 votes cast be not in favor of the proposed change in the form
3 of municipal government, the question of adopting any change
4 in the form of municipal government shall not be again sub-
5 mitted to the voters of said municipal corporation within

6 two (2) years thereafter. (416.11, 419.6, C50, revised and
7 combined.)

1 Sec. 39. Frequency of change. No municipal corporation
2 shall change its form of government, unless said form of
3 government has been in effect at least six (6) years.
4 (416.73, 419.74, C50, revised.)

1 Sec. 40. Vested rights on change. When a municipal
2 corporation changes its form of government, such change
3 shall have no effect upon the territorial limits of said
4 municipal corporation, nor shall it affect any property,
5 rights, or liabilities of said municipal corporation, but
6 shall go solely to the form of government. (416.73, 416.94,
7 419.68, 419.76, C50, revised and combined.)

1 Sec. 41. Certification of adoption. Immediately after
2 such proposition has been adopted, the mayor shall transmit
3 to the governor, to the secretary of state, and to the
4 county auditor, each a certificate stating that such propo-
5 sition was adopted. (416.10, unchanged, 419.5 revised,
6 C50).

1 Sec. 42. Departments to continue. All departments in
2 any municipal corporation which has voted to change its
3 form of government shall continue to exist and function
4 during the interim necessary to effectuate reorganization
5 under the new form. (419.68, C50, revised.)

1 Sec. 43. Sections three hundred sixty-three point
2 one (363.1) to three hundred sixty-three point five (363.5),

3 inclusive, Code 1950, are hereby repealed. (See sections
4 4 to 8 of this bill.)

1 Sec. 44. Sections three hundred sixty-three point six
2 (363.6) to three hundred sixty-three point eight (363.8),
3 inclusive, Code 1950, are hereby repealed. (See secs. 25 to
4 27 of this bill.)

1 Sec. 45. Section three hundred sixty-three point ten
2 (363.10), Code 1950, is hereby repealed. (See secs. 31 and
3 32 of this bill.)

1 Sec. 46. Section three hundred sixty-three point
2 thirty-five (363.35), Code 1950, is hereby repealed. (See
3 sec. 3 of this bill.)

1 Sec. 47. Sections four hundred sixteen point two
2 (416.2) to four hundred sixteen point five (416.5), inclu-
3 sive, Code 1950, are hereby repealed. (See sec. 35 of this
4 bill.)

1 Sec. 48. Section four hundred sixteen point six
2 (416.6), Code 1950, is hereby repealed. (See sec. 35 of
3 this bill.)

1 Sec. 49. Section four hundred sixteen point seven
2 (416.7), Code 1950, is hereby repealed. (See sec. 35 of this
3 bill.)

1 Sec. 50. Section four hundred sixteen point nine
2 (416.9), Code 1950, is hereby repealed. (See sec. 37 of
3 this bill.)

1 Sec. 51. Sections four hundred sixteen point ten

2 (416.10), and four hundred sixteen point eleven (416.11),
3 Code 1950, are hereby repealed. (See sec. 41 of this bill.)

1 Sec. 52. Section four hundred sixteen point fifteen
2 (416.15), Code 1950, is hereby repealed. (See secs. 15 to
3 23 of this bill.)

1 Sec. 53. Section four hundred sixteen point sixteen
2 (416.16), Code 1950, is hereby repealed. (See secs. 15 to
3 23 of this bill.)

1 Sec. 54. Section four hundred sixteen point seventeen
2 (416.17), Code 1950, is hereby repealed. (See secs. 8 and
3 24 of this bill.)

1 Sec. 55. Section four hundred sixteen point eighteen
2 (416.18) Code 1950, is hereby repealed. (See secs. 19, 24,
3 30 of this bill.)

1 Sec. 56. Section four hundred sixteen point nineteen
2 (416.19) Code 1950, is hereby repealed. (See sec. 18 of
3 this bill.)

1 Sec. 57. Section four hundred sixteen point twenty
2 (416.20), Code 1950, is hereby repealed. (See sec. 15 of
3 this bill.)

1 Sec. 58. Section four hundred sixteen point twenty-
2 one (416.21), Code 1950, is hereby repealed. (See sec. 16
3 of this bill.)

1 Sec. 59. Section four hundred sixteen point twenty-two
2 (416.22), Code 1950, is hereby repealed. (See sec. 17 of this
3 bill.)

1 Sec. 60. Section four hundred sixteen point twenty-
2 three (416.23), Code 1950, is hereby repealed. (See sec.
3 23 of this bill.)

1 Sec. 61. Sections four hundred sixteen point twenty-
2 four (416.24), four hundred sixteen point twenty-five
3 (416.25), and four hundred sixteen point twenty-seven
4 (416.27) to four hundred sixteen point twenty-nine (416.29),
5 inclusive, Code 1950, are hereby repealed. (See secs. 22
6 to 24 of this bill.)

1 Sec. 62. Sections four hundred sixteen point thirty
2 (416.30) to four hundred sixteen point thirty-eight (416.38),
3 inclusive, Code 1950, are hereby repealed. (See secs. 24 to
4 30 of this bill.)

1 Sec. 63. Sections four hundred sixteen point thirty-
2 nine (416.39) and four hundred sixteen point forty (416.40),
3 Code 1950, are hereby repealed. (See sec. 30 of this bill.)

4 Similar provisions, 738.1 to 738.5, C50.

1 Sec. 64. Section four hundred sixteen point seventy-three
2 (416.73), Code 1950, is hereby repealed. (See secs. 39 and 40
3 of this bill.)

1 Sec. 65. Sections four hundred sixteen point eight-eight
2 (416.88) and four hundred sixteen point eight-nine (416.89),
3 Code 1950, are hereby repealed. (See sec. 3 of this bill.)

1 Sec. 66. Section four hundred sixteen point ninety-four
2 (416.94), Code 1950, is hereby repealed. (See sec. 40 of this
3 bill.)

1 Sec. 67. Sections four hundred nineteen point one (419.1)
2 to four hundred nineteen point fourteen (419.14), inclusive,
3 Code 1950, are hereby repealed. (See secs. 35 to 38 of this
4 bill.)

1 Sec. 68. Sections four hundred nineteen point twenty
2 (419.20) to four hundred nineteen point thirty (419.30),
3 inclusive, Code 1950, are hereby repealed. (See secs. 15 to
4 30 of this bill.)

1 Sec. 69. Sections four hundred nineteen point sixty-three
2 (419.63) to four hundred nineteen point sixty-five (419.65),
3 inclusive, Code 1950, are hereby repealed. (See secs. 2 to 4
4 of this bill.)

1 Sec. 70. Section four hundred nineteen point sixty-eight
2 (419.68), Code 1950, is hereby repealed. (See sec. 40 of this
3 bill.)

1 Sec. 71. Section four hundred nineteen point seventy-
2 four (419.74), Code 1950, is hereby repealed. (See sec. 39
3 of this bill.)

1 Sec. 72. Sections four hundred nineteen point seventy-
2 five (419.75) to four hundred nineteen point seventy-seven
3 (419.77), inclusive, Code 1950, are hereby repealed. (See
4 secs. 35 to 40 of this bill.)

1 Sec. 73. Chapter three hundred fifty-four (354), Code
2 1950, is amended by adding the following new section: "Town
3 sites platted and unincorporated shall be known as villages."
4 (363.1 (4), C50, unchanged.)

1 Sec. 74. Section thirty-seven point eight (37.8), Code
2 1950, is amended by striking from line one (1) of subsection
3 two (2) the words “of the first class,”.

4 Further amend said section by striking from line one (1)
5 of subsection three (3) the words “other first class” and by
6 inserting after the word “city” in said line the words “having
7 a population of at least fifteen thousand but not more than fifty
8 thousand,”.

9 Further amend said section by striking from line one (1)
10 of subsection four (4) the words “of the second class” and
11 inserting in lieu thereof the words “having a population of less
12 than fifteen thousand,”. (See secs. 4 and 40 of this bill.)

1 Sec. 75. Section forty-three point one hundred twelve
2 (43.112), Code 1950, is amended as follows:

3 1. By striking from line four (4) the words “cities of
4 the first class and”.

5 2. By inserting after the word “charter” in line five (5)
6 the words “in 1950”.

1 Sec. 76. Section forty-three point one hundred fourteen
2 (43.114), Code 1950, is hereby repealed. (See sec. 21 of this
3 bill.)

1 Sec. 77. Section ninety-eight point thirteen (98.13),
2 subsection three (3), paragraph (b), Code 1950, is hereby
3 amended by striking from line one (1) the words “the second
4 class” and inserting in lieu thereof “less than fifteen
5 thousand population”.

6 Further amend said subsection by striking from line one
7 (1) of paragraph (c.) the words "the first class" and insert-
8 in lieu thereof the words "fifteen thousand or more popu-
9 lation". (See sec. 2 of this bill.)

1 Sec. 78. Section two hundred seventy-seven point twenty-
2 three (277.23), Code 1950, is hereby amended by striking from
3 line two (2) the words "the first class" and inserting in lieu
4 thereof the words "fifteen thousand or more population".

1 Sec. 79. Section three hundred point one (300.1), Code
2 1950, is amended by striking the words commencing with "cities"
3 in line two (2) and ending with "government," in line five (5)
4 inclusive, and inserting in lieu thereof the words "any city".

5 Further amend said section by inserting a period (.)
6 after the words "such cities" in line twenty-six (26) and
7 striking the balance of the section. (See sec. 2 of this bill.)

1 Sec. 80. Section three hundred point two (300.2), Code
2 1950, is amended by striking from lines three (3) to six (6)
3 the words "of the first or second class, city under special
4 charter, or city under the commission plan of government,".
5 (See sec. 2 of this bill.)

1 Sec. 81. Section three hundred twenty-one point two hun-
2 dred seventy-four (321.274), Code 1950, is amended by striking
3 from line three (3) the words "the first class" and inserting
4 in lieu thereof the words "fifteen thousand or more population".
5 (See sec. 2 of this bill.)

1 Sec. 82. Section three hundred forty point three (340.3),

2 subsection fourteen (14), Code 1950, is amended by striking
3 from line two (2) the words "the first class" and inserting
4 in lieu thereof the words "fifteen thousand or more population".

1 Sec. 83. Section three hundred forty point ten (340.10)
2 subsection four (4), Code 1950, is amended by striking from line
3 three (3) the words "the second class" and inserting in lieu
4 thereof the words "less than fifteen thousand population".

5 Further amend said subsection by striking from lines four
6 (4) and five (5) the words "of the second class". (See sec.
7 2 of this bill.)

1 Sec. 84. Section three hundred fifty-eight point twenty-
2 one (358.21), paragraph two (2), Code 1950, is amended by
3 striking all of lines six (6) to eight (8), inclusive, and
4 inserting in lieu thereof the following "cities and towns".

1 Sec. 85. Section three hundred sixty-seven point one
2 (367.1), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words "the first class" and inserting in lieu
4 thereof the words "fifteen thousand or more population".

1 Sec. 86. Section three hundred sixty-eight point twenty
2 (368.20), Code 1950, is amended by striking from lines one
3 (1) to three (3) the words "of the first and second class, in-
4 cluding cities under the commission form of government,".

1 Sec. 87. Section three hundred sixty-eight point thirty-
2 nine (368.39), Code 1950, is amended by striking from line
3 two (2) the words "the first class" and inserting in lieu
4 thereof the words "fifteen thousand or more population".

1 Sec. 88. Section three hundred sixty-eight point forty
2 (368.40), Code 1950, is amended by striking from line thirteen
3 (13) the words “the first class” and inserting in lieu thereof
4 the words “fifteen thousand or more population”.

1 Sec. 89. Section three hundred seventy-two point one
2 (372.1), Code 1950, is amended by striking from lines two (2)
3 and three (3) the words “of the first class” and by striking
4 from line four (4) the words “, to cities of the second class”.

1 Sec. 90. Section three hundred eighty point nine (380.9),
2 Code 1950, is amended by striking from line one (1) the words
3 “of the second class”.

4 Further amend said section by striking from lines three
5 (3) and four (4) the words “the second class” and inserting
6 in lieu thereof the words “less than fifteen thousand popu-
7 lation”.

1 Sec. 91. Section three hundred eighty-one point two
2 (381.2), Code 1950, is amended by striking from line two (2)
3 the words “the second class” and inserting in lieu thereof the
4 words “less than fifteen thousand population”.

1 Sec. 92. Section three hundred eighty-one point seven (381.7),
2 Code 1950, is amended by striking from lines one (1) and two
3 (2) the words “the first class” and inserting in lieu thereof
4 the words “fifteen thousand or more population”.

1 Sec. 93. Section three hundred eighty-nine point fifteen
2 (389.15), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words “the first class” and inserting in lieu

4 thereof the words “fifteen thousand or more population”.

1 Sec. 94. Section three hundred eighty-nine point seventeen
2 (389.17), Code 1950, is amended by striking from line two (2)
3 the words “the first class” and inserting in lieu thereof the
4 words “fifteen thousand or more population.”

1 Sec. 95. Section three hundred ninety-seven point twenty-
2 nine (397.29), Code 1950, is amended by striking from line
3 two (2) the words “of the first class”.

1 Sec. 96. Section three hundred ninety-eight point one
2 (398.1), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words “of the first class, and cities of the
4 second class”.

1 Sec. 97. Section three hundred ninety-eight point five
2 (398.5), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words “of the first class, and cities of the
4 second class”.

1 Sec. 98. Section four hundred four point three (404.3),
2 subsection two (2), Code 1950, is amended by striking from line
3 one (1) the words “the first class” and inserting in lieu there-
4 of “fifteen thousand or more population”.

5 Further amend said section by striking from subsection three
6 (3), line one (1) the words “of the second class” and by in-
7 serting after the word “thousand” in line two (2) of said sub-
8 section the word “but less than fifteen thousand”

1 Sec. 99. Section four hundred four point seven (404.7),
2 Code 1950, is amended by striking from lines one (1) and two

3 (2) the words "the first class", and inserting in lieu thereof
4 "fifteen thousand or more population".

1 Sec. 100. Section four hundred eight point sixteen (408.16),
2 Code 1950, is amended by striking from line two (2), the words,
3 "the first class" and inserting in lieu thereof the words
4 "fifteen thousand or more population".

1 Sec. 101. Section four hundred fifteen point one (415.1),
2 Code 1950, is amended by striking from lines one (1) and two
3 (2) the words "of the first and second class".

1 Sec. 102. Section four hundred sixteen point fifty-four
2 (416.54), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words "the first class" and inserting in lieu
4 thereof the words "fifteen thousand or more population".

1 Sec. 103. Section four hundred sixteen point fifty-five
2 (416.55), Code 1950, is amended by striking from line two (2)
3 the words "the second class" and inserting in lieu thereof the
4 words "less than fifteen thousand population".

1 Sec. 104. Section four hundred sixteen point ninety-two
2 (416.92), Code 1950, is amended by striking from line two (2)
3 the words "of the first and second class".

1 Sec. 105. Section four hundred eighteen point one (418.1),
2 Code 1950, is amended by striking from lines three (3) to six
3 (6) the words "and cities having a population of more than
4 twenty-five thousand as shown by the last preceding census,".

1 Sec. 106. Sections four hundred twenty point one (420.1)
2 to four hundred twenty point seven (420.7), inclusive, Code

3 1950, are hereby repealed. (See secs. 1 to 9, and 30 of this
4 bill.)

1 Sec. 107. Section four hundred twenty point forty-eight
2 (420.48), Code 1950, is hereby repealed. (See sec. 30 of this
3 bill.)

1 Sec. 108. Section three hundred sixty-three point fifty-
2 one (363.51), Code 1950, is hereby repealed. (See sec. 33 of
3 this bill.)

1 Sec. 109. Section seventeen point seven (17.7), Code
2 1950, is amended by striking from line three (3) the word
3 "March" and inserting in lieu thereof the word "December".
4 (See sec. 33 of this bill.)

1 Sec. 110. Section three hundred ninety-eight point ten
2 (398.10), Code 1950, is amended as follows:

3 1. Insert in line seventeen (17), after the word "board",
4 the words "for the first three quarters of the fiscal year".

5 2. Strike from line nineteen (19) the word "January"
6 and insert in lieu thereof the word "April".

1 Sec. 111. The code editor is authorized to make the
2 following changes in the statutes:

3 1. Wherever in the statutes, other than in this Act,
4 reference is made to cities of the first class, the code
5 editor is authorized to strike such reference and to insert
6 in lieu thereof reference to cities having a population of
7 fifteen thousand or over.

8 2. Whenever in the statutes, other than in this Act,

9 reference is made to cities of the second class, the code
 10 editor is authorized to strike such reference and to insert
 11 in lieu thereof reference to cities having a population of less
 12 than fifteen thousand. (See secs. 4 and 74 to 105 of this
 13 bill.)

1 Sec. 112. The explanatory material, tables, notes, and
 2 historical references incorporated in this bill shall not be
 3 considered as any part of the enactment hereof and shall not
 4 be included in the enrolled Act.

1 Sec. 113. Publication. This Act being deemed of immedi-
 2 ate importance shall be in full force and effect from and after
 3 publication in the _____, a newspaper
 4 published at _____, Iowa, and the _____
 5 _____, a newspaper published at _____
 6 Iowa.

TABLE OF CORRESPONDING SECTIONS

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Code 1950	Bill Sec.	Code 1950	Bill Sec.
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EXPLANATION OF H. F. 196

The purpose of this bill is to revise and combine the sections of the code relating to the form of municipal government and to provide in one chapter of the Code an enumeration of such forms, and the features of government common to all of such forms. It provides a uniform manner for electing municipal officers for four year terms, with staggered terms for councilmen. It provides that the fiscal year for all municipal corporations shall be the calendar year. It changes the date of municipal elections to November of odd numbered years. It also provides a uniform procedure for changing from one form of government to another. Other bills provide for separate chapters setting forth the features peculiar to each form of municipal government.