

January 28, 1963.

County and Township Affairs.

House File 85

By SMITH of O'Brien, EDGINGTON
and LOSS.

P. agriculture 2-11 Pass 3/19

Passed House, Date 2-8-63

Passed Senate, Date 4-5-63

Vote: Ayes..... Nays 3

Vote: Ayes 41 Nays 0

Approved.....

*amended by Senate 4/11
concurred by House 4/11
aye 97 nays 3*

*action deferred 3/29
on calendar 4/11*

A BILL FOR

An Act relating to erecting, rebuilding or repairing of fences.

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

- 1 Section 1. Section one hundred thirteen point six (113.6),
- 2 Code 1962, is hereby amended as follows:
- 3 1. By striking from lines four (4) and five (5) the words "the
- 4 adjoining owner may do or complete the same" and inserting in lieu
- 5 thereof the words "the board of supervisors shall erect, rebuild
- 6 or repair the fence".
- 7 2. By striking from lines nine (9), ten (10) and eleven (11)
- 8 the words "landowner so erecting, rebuilding, trimming or cutting
- 9 back or repairing such fence" and inserting in lieu thereof the
- 10 word "treasurer".
- 11 3. By striking all after the word "taxes" in line twenty-six
- 12 (26) of such section and inserting in lieu thereof a period (.).

EXPLANATION OF HOUSE FILE 85

This bill relieves the landowner from the responsibility of erecting, rebuilding or repairing the fence of the adjacent owner.

HOUSE FILE 85

- 1 **Amend House File 85 section one (1), subsection one (1)**
- 2 as follows:
- 3 By striking all after the word "shall" in line five (5)
- 4 and inserting in lieu thereof the following:
- 5 "cause to be erected, rebuilt or repaired the fence."
- 6 2. Further amend House File 85 section one (1)
- 7 subsection two (2) by adding the word "county" before the
- 8 word "treasurer" in line 10.

Filed and adopted
February 8, 1963.

SMITH OF O'BRIEN.

HOUSE FILE 85

- 1 Amend House File 85, Section 1, subsection 1, by striking
- 2 all after the word "shall" in line 5, and inserting in lieu
- 3 thereof the following: "cause the fence to be erected, rebuilt
- 4 and repaired."

Filed
March 20, 1963.

Adopted 4-1

House concurred 4/11

By GETTING.

HOUSE FILE 85

- 1 Amend House File 85 by striking from line 5 of section
- 2 1 the words "the board of supervisors" and inserting in
- 3 lieu thereof the words "the board of township trustees acting
- 4 as fence viewers".

Filed
April 2, 1963.

Adopted 4/5

House concurred 4/11

By GETTING.

HOUSE FILE 85

- 1 Amend House File 85 by adding the following section:
- 2 "Section one hundred thirteen point four (113.4), Code 1962,
- 3 is hereby amended by adding thereto the following:
- 4 'If the fence is not erected, rebuilt, or repaired within the
- 5 time prescribed in the order, the fence viewers shall require
- 6 the complaining landowner to deposit with the fence viewers a sum
- 7 of money sufficient to pay for the erecting, rebuilding, trimming,
- 8 cutting back or repairing such fence together with the fees of
- 9 the fence viewers and costs. Such complaining landowner shall
- 10 be reimbursed as soon as the taxes are collected as provided in
- 11 section one hundred thirteen point six (113.6) of the Code.'

Filed and adopted
April 5, 1963.

House concurred 4/11

By GETTING.