

February 5, 1963.

Cities and Towns.

Pass 4/5

By REPPERT, GITTINS and MESSERLY.

House File 165

Passed House, Date.....

Passed Senate, Date.....

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

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

Approved.....

A BILL FOR

An Act relating to improvement by cities and towns of driveway approaches located between the travelled portion of the street right-of-way and the sidewalk or private property line, and assessment of the cost thereof.

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

- 1 Section 1. Chapter three hundred ninety-one (391),
- 2 Code 1962, is amended by adding the following new section:
- 3 "In connection with and as a part of any other street
- 4 improvement, cities and towns shall have power to improve
- 5 driveway approaches located within the street right-of-way
- 6 and between the portion of the street travelled by vehicular
- 7 traffic and the sidewalk or, if there be no sidewalk, the
- 8 property line, and assess the cost against the benefited
- 9 property."

EXPLANATION OF HOUSE FILE 165

The city is charged with the duty of keeping the streets open, in repair, and free from nuisances. This has been held to include the full width of the street including the parking and sidewalk. The purpose of this bill is to authorize the paving of driveway approaches located within the parking at the same time that the street is paved, when it can be done economically at a quantity rate. If the grade is changed, usually this work is done anyhow at the expense of the property owner. This bill would permit the municipality to include driveway changes in the cost of the project.