

February 25, 1963.
County and Township Affairs.

House File 340
By RILEY.

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

A BILL FOR

An Act relating to benefited fire districts.

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

1 Section 1. Chapter three hundred fifty-seven A (357A), Code
2 1962, is hereby amended by adding the following two (2) new
3 sections:

4 1. "When a benefited fire district boundary shall include a
5 portion of a township, a levy by the township trustees as pro-
6 vided in section three hundred fifty-nine point forty-three
7 (359.43) of the Code, shall not apply to the included portion of
8 the township. When a benefited fire district boundary line shall
9 include a portion of a township, the assets, and any indebtedness
10 incurred under sections three hundred fifty-nine point forty-two
11 (359.42) to three hundred fifty-nine point forty-five (359.45)
12 inclusive, of the Code, shall be divided and the part belonging
13 to the included portion shall be assumed by the fire district.
14 The basis for the division shall be the ratio that the total
15 assessed valuation of the included portion bears to the total
16 assessed valuation of this entire township."

17 2. "A city or town council, when presented a petition signed
18 by twenty-five percent of the resident property owners within the
19 city or town, shall request the board of supervisors to set an
20 election at which the question of including a city or town within
21 the boundaries of a fire district shall be voted on. All resident

22 property owners of the entire proposed fire district shall be
23 eligible to vote on the proposal. The question shall be deemed
24 to have carried when sixty percent of the votes cast are in the
25 affirmative.”

1 Sec. 2. Section three hundred fifty-seven A point two (357A.2),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 “Benefited fire districts may include any one or combination
5 of the following:

6 1. One or more adjoining townships or portions thereof.

7 2. Townships or portions thereof which adjoin but do not lie
8 in the same county.

9 3. Townships or portions thereof and a city or town which
10 adjoins such area but which has no paid fire department.”

1 Sec. 3. Chapter three hundred fifty-seven A (357A), Code
2 1962, is hereby further amended by adding the following new
3 section:

4 “All elections in benefited fire districts shall be held
5 between the hours of 12:00 noon and 7:00 P.M. on the day
6 specified by the board.”

1 Sec. 4. Section three hundred fifty-seven A point nine
2 (357A.9), Code 1962, is hereby amended by striking from line
3 nineteen (19) the words “without pay”, and by inserting after
4 the word “election.” in line twenty-one (21) the words “Judges
5 shall receive the compensation prescribed by the board.”

1 Sec. 5. Chapter three hundred fifty-seven A (357A), Code
2 1962, is hereby further amended by adding the following new
3 section:

4 “Twenty-five percent of the resident owners of any area which

5 adjoins an established benefited fire district may petition the
6 board of supervisors to set a hearing and have an election on the
7 question of whether the area should be included in the boundaries
8 of the established benefited fire district. The vote shall be
9 limited to the question of taking in the proposed area and shall
10 not effect a dissolution of the established fire district. All
11 resident owners of the established district and the area being
12 included shall be eligible to vote on the question and sixty
13 percent of the vote cast shall be required to accept the pro-
14 posal.”

1 Sec. 6. Chapter three hundred fifty-seven A (357A), Code
2 1962, is hereby further amended by adding the following new
3 section:

4 “There is hereby established in each benefited fire district
5 the office of clerk. The clerk shall be appointed by the
6 trustees. The clerk shall receive an annual salary to be set
7 by the trustees. The clerk shall post bond in favor of the
8 benefited fire district in such amount as the board of super-
9 visors may require.”

1 Sec. 7. Section three hundred fifty-seven A point eleven
2 (357A.11), Code 1962, is hereby amended by striking from the
3 last line the words “but shall not receive any salary.” and
4 inserting in lieu thereof the words “and shall receive compensa-
5 tion in the sum of ten dollars for each meeting attended.”

1 Sec. 8. Chapter three hundred fifty-seven A (357A), Code
2 1962, is hereby further amended by adding the following two (2)
3 new sections:

4 1. “The trustees of a benefited fire district shall prepare

- 5 and submit a budget to the county auditor not later than July 1
6 of each year.”
- 7 2. “The trustees of a benefited fire district may enter into
8 a contract with any city or town not included in the district for
9 the exchange of fire protection service.”

EXPLANATION OF HOUSE FILE 340

This bill relates to intracounty benefited fire districts and expands and clarifies the provisions of chapter 357A of the Code.