

February 28, 1963.

Placed on Calendar. *Withdrawn 3/18*

House File 391

By COMMITTEE ON
CITIES AND TOWNS.

Passed House, Date.....

Passed Senate, Date.....

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

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

Approved.....

A BILL FOR

An Act to amend section three hundred sixty-eight point thirty-five (368.35), Code 1962, relating to the leasing of municipal property.

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

- 1 Section 1. Section three hundred sixty-eight point thirty-
- 2 five (368.35), Code 1962, is amended by inserting after the
- 3 word "property" in line three (3) thereof the following:
- 4 "including the air space over any street, alley or public
- 5 way,".

EXPLANATION OF HOUSE FILE 391

Section 368.35 authorizes municipal corporations to lease any municipal property which is not likely to be needed for municipal purposes. It is uncertain as a matter of law whether the section permits a municipality to authorize construction over streets, alleys and sidewalks for pedestrian and other uses. This amendment will make it clear that municipalities may legally authorize such construction.