

February 28, 1963.
Cities and Towns. *Pass 3/26*

House File 410
By VERMEER.

Passed House, Date *5-13-63*

Passed Senate, Date *5-18-63*

Vote: Ayes *98* Nays *0*

Vote: Ayes *43* Nays *0*

Approved

Legislative Committee 5/13
Legislative Com. Cal. 5/18
amended by Senate
concurred by House
aps 69 Nays 0
5/18

A BILL FOR

An Act relating to the adoption of city and town codes.

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

- 1 Section 1. Paragraph c. of subsection five (5) of
- 2 section three hundred sixty-six point seven (366.7),
- 3 Code 1962, is amended by striking lines one (1) through
- 4 six (6) and inserting in lieu thereof the following:
- 5 "c. The title of any new ordinance proposed to be
- adopted as part of such code and a summary of each such
- ordinance."
- Sec. 2. Subsection seven (7) of section three hundred
- sixty-six point seven (366.7), Code 1962, is amended by
- adding thereto the following:
- "However, in the notice of the adoption of such a code,
- a summary of such code shall not be required."

EXPLANATION OF HOUSE FILE 410

More and more cities and towns want to revise and codify their ordinances and put these in booklet form. This should be encouraged because when a community does this its ordinances are up to date and are more understandable and useable than when they are simply accumulated over the years in an ordinance book.

A law passed during the 1961 session apparently requires that when a new code is adopted and published in booklet form, the following must be published in a newspaper: (1) a listing of all the ordinances, sections and subsections changed with an explanation of the changes and (2) the entire text of any new ordinance adopted.

These requirements cause large publication costs and therefore severely discourage cities and towns from revising their ordinances in booklet form. In effect the changes made in 1961 defeat one of the basic reasons for the ordinance codification law: to permit publication of ordinances in a booklet rather than detailed publication in a newspaper.

The purpose of this bill is to make the ordinance codification law useable again. Still required would be notice of hearing regarding the adoption of a code, which notice would include publication of a summary of any new ordinance proposed as part of the code, and a public hearing on the proposed code.

The bill would also make it clear that when a model code is adopted by reference, for example a plumbing code, it would not have to be published in detail. Apparently the law passed in the 1961 session requires complete publication of such codes, which defeats the main purpose of adoption by reference.

HOUSE FILE 410

- 1 Amend House File 410 as follows:
- 2 1. By striking lines 5, 6, and 7 of section 1 and
- 3 inserting in lieu thereof the following:
- 4 "c. When an ordinance containing new substance or intent
- 5 is proposed for adoption as part of a municipal code, it shall
- 6 be published as provided in subsection one (1). However, when
- 7 an ordinance is simply edited and brought up to date without
- 8 change of substance or intent, such publication will not be
- 9 required."
- 10 2. By striking lines 4 and 5 of section 2 and
- 11 inserting in lieu thereof the following:
- 12 "However, the provisions of paragraph c. of subsection five
- 13 (5) shall not apply."

Filed
May 17, 1963.

House concurred 5/18 adopted 5/18

LODWICK and BURROWS.