

State of Iowa

1946

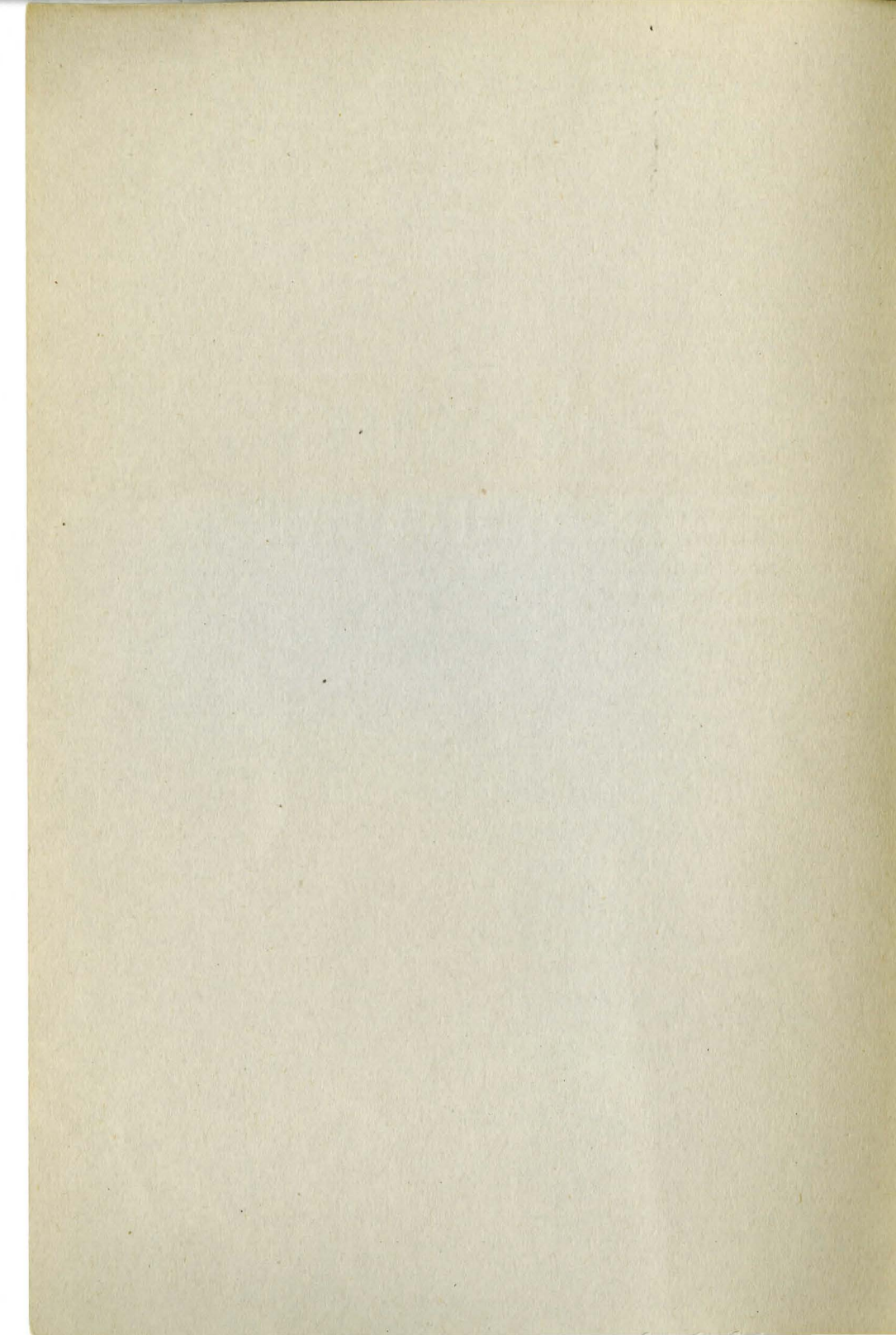
TAX LEVIES EXPENDITURES BUDGETS

**in Accordance with the Provisions
of Code of Iowa, 1946**

Authority for Tax Levies with Limitations Fixed by Law
Compiled in the office of the State Comptroller under
provisions of section 444.7, Code 1946

**Published by
THE STATE OF IOWA
DES MOINES**

Iowa
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1946



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TAX LEVIES

Authority for tax levies and limitations applying to taxes, budgets, and expenditures, in accordance with Code, 1946. Authority cited in the following pages is necessarily brief, but complete information may be secured by reference to the particular act or law. For the benefit of the public and all local boards there is printed in the back of this pamphlet the Budget Appeal Law (part of Chapter 24) and also Chapter 23 of the Code in full (relating to Public Contracts and Bonds).

Compiled in the office of the State Comptroller for use of County Auditors and all local tax officials and to meet the requirements of section 444.7, Code 1946.

Published by
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Some sections of the Code are quoted in full, and some in part only. In many instances, sentences are added to explain more fully the content of the section.

For detailed information, refer to Code 1946.

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SECTION I

Determining and Certifying Taxes

TAX LEVIES

444.1 Basis for Amount of Tax. In all taxing districts in the state, including townships, school districts, cities, towns, and counties, when by law then existing the people are authorized to determine by vote, or officers are authorized to estimate or determine, a rate of taxation required for any public purpose, such rate shall in all cases be estimated and based upon the adjusted taxable valuation of such taxing district for the preceding calendar year.

Referred to in Section 444.8.

444.2. Amounts Certified in Dollars. When any authorized tax rate within any taxing district, including townships, school districts, cities, towns, and counties, shall have been thus determined as provided by law, the officer or officers charged with the duty of certifying said authorized rate to the county auditor or board of supervisors shall, before certifying the same, compute upon the adjusted taxable valuation of such taxing district for the preceding calendar year (not including moneys and credits, and other moneyed capital taxed at a flat rate as provided in section 429.2), the amount of tax said rate will raise, stated in dollars, and shall certify said computed amount in dollars and not by rate, to the county auditor and board of supervisors.

Referred to in Sections 420.207, 444.8.

Applicable to special charter cities.

This section refers to the duty of the local certifying board in preparing the budget and tax levy to be certified to the county auditor. Do not guess at the amount of dollars you expect to raise.

444.3. Computation of Rate. When the valuations for the several taxing districts shall have been adjusted by the several boards for the current year, the county auditor shall thereupon apply such a rate, not exceeding the rate authorized by law, as will raise the amount required for such taxing districts, and no larger amount.

Provided that the county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section 429.2 and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made. (Tax replacement provision).

The distribution of the tax derived from moneys and credits is to be made as provided in section 429.3.

Referred to in Sections 420.207, 426.6, 444.8. See Section 24.19.

Applicable to special charter cities.

444.4. Fractional Rates Disregarded. If in adjusting the rate to be levied in any taxing district to conform to law, such rates shall make necessary the levying of a fraction of a mill in excess of **one-half of one-tenth of a mill**, said fractional excess may be computed as **one-tenth of a mill**, which latter shall be the smallest required to be spread upon the tax lists for any purpose except rates applicable to a state purpose.

Referred to in Sections 420.207, 444.8.

Applicable to special charter cities.

444.5. Interpretative Clause. Nothing herein shall be construed as interfering with the right of any taxing district to receive its due proportion of the taxes on moneys and credits and other moneyed capital taxed at a flat rate as provided in section 429.2.

Referred to in Sections 420.207, 444.8.

Applicable to special charter cities.

For distribution of moneys and credits tax, see section 429.3.

444.6. Record of Rates. On the determination by the auditor of the necessary rates as herein directed, it is made his duty to enter a record of such rates for each taxing district upon the permanent records of his office in a book to be kept for that purpose.

Referred to in Section 444.8. See sections 24.19 and 24.20.

444.8. Mandatory Provisions. The provisions of sections 444.1 to 444.7, inclusive, and the methods of computation, certification, and levy therein provided shall be obligatory on all officers within the several counties of the state upon whom devolves the duty of determining, certifying, and levying taxes.

24.3. Requirements of Local Budget. No municipality shall certify or levy in any year any tax on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:

1. The Amount of Income Thereof for the Several Funds from Sources other than Taxation. "The estimate of such total income other than taxation, for cities over 75,000 population, shall be computed as follows in each fund: The estimate of that portion of this income which is derived from licenses, fees, fines and other miscellaneous items of income other than taxes, shall be no larger than the actual collection of these different items of income, but not including transfers from other funds, during the preceding twelve months ending June 30th. Also, to such total estimate, may be added any new

source of income other than taxes but only after it shall actually have been authorized by the city council and such estimate of this new source of income must be reasonable."

2. The Amount Proposed to be Raised by Taxation. "In cities over 75,000 population, the amount proposed to be raised by taxation may be 5.27 per cent larger than the amount proposed to be expended as provided in subsection 3 after deducting balances from the preceding year if any, and income from sources other than taxation. Nothing herein shall be construed as permitting a tax levy in excess of the millage rates elsewhere provided."

3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.

4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the two preceding years.

The above provisions of Section 24.3 printed in heavy type apply to all local boards. That part in quotation applies to cities of more than 75,000 population.

24.4. Time of Filing Estimates. All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

24.5. Estimates Itemized. The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the State Board.

24.7. Supplemental Estimates. Supplemental estimates for particular funds may be made for levies of taxes for future years when the same are authorized by law. Such estimates may be considered, and levies made therefor at any time by filing the same, and upon giving notice in the manner required in section 24.9. Such estimates and levies shall not be considered as within the provisions of section 24.8.

24.8. Estimated Tax Collections. The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing

fiscal year. The estimate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all property that is assessed.

24.9. Filing Estimates—Notice of Hearing. Each municipality shall file with the secretary or clerk thereof the estimates required to be made in sections 24.3 to 24.8, inclusive, at least twenty days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon, and shall publish such estimates and any annual levies previously authorized as provided in section 76.2 with a notice of the time when and the place where such hearing shall be held at least ten days before the hearing. Provided that in rural independent districts, school townships, and municipalities of less than 200 population such estimates and the notice of hearing thereon shall be posted in three public places in the district in lieu of publication.

For a county, such publication shall be in the official newspapers thereof.

For any other municipality such publication shall be in a newspaper published therein, if any, if not, then in a newspaper of general circulation therein.

24.10. Levies Void. The verified proof of the publication of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published and filed.

Taxes and Expenditures Limited

24.14. Tax Limited. No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 24.6, 24.15, and paragraph 4 of section 343.11.

Section 24.14 is the budget law limitation and prohibits expenditures in excess of those estimated in the budget previously published and adopted after a public hearing. It says, "And thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 24.6, 24.15, and paragraph 4 of section 343.11." Section 24.14 applies to cities and towns and schools as well as the county and its requirements should be observed by all local boards. This section has been interpreted by the Iowa Supreme Court and the Attorney General as a strict limitation on all boards subject to the local budget law.

444.7. Excessive Tax Prohibited. It is hereby made a misdemeanor for the board of supervisors to authorize, or the

county auditor to carry upon the tax lists for any year, an amount of tax for any public purpose in excess of the amount certified or authorized as provided by law.

The state comptroller shall prescribe and furnish the county auditors forms and instructions to aid them in determining the legality and authorized amount of tax levies. In the case of an excessive levy, it shall be the duty of the county auditor to reduce it to the maximum amount authorized by law, and in any event not in excess of the amount certified; and in case of an illegal levy the county auditor shall not enter or carry any tax on the tax lists for such levy.

344.10. The County—Expenditures Exceeding Appropriations. It shall be unlawful for any county official, the expenditures of whose office come under the provisions of this chapter, to authorize the expenditure of a sum for his department larger than the amount which has been appropriated by the county board of supervisors.

Any county official in charge of any department or office who violates this law shall be guilty of a misdemeanor and punished accordingly.

343.10. Expenditures Confined to Receipts. It shall be unlawful for any county, or for any officer thereof, to allow any claim, or to issue any warrant, or to enter into any contract, which will result, during said year, in an expenditure from any county fund in excess of an amount equal to the collectible revenues in said fund for said year, plus any unexpended balance in said fund for any previous years.

Any officer allowing a claim, issuing a warrant, or making a contract contrary to the provisions of this section, shall be held personally liable for the payment of the claim or warrant, or the performance of the contract.

343.11. Exceptions under the above section. See Code.

SECTION II

County Tax Levies

Authority for millage levies by counties listed by funds with the sections of the law authorizing various levies.

The Iowa law fixes the maximum millage which can be levied but certifying boards and tax officials must take into consideration other factors in determining the legality of a tax levy. In this connection, read carefully laws quoted in Section I as well as other parts of this pamphlet. A tax may be within lawful millage limits and yet not comply with the local budget law or other laws governing expenditures and taxation.

When sections of the law are not quoted in full, please refer to the latest code or session laws for complete detail.

444.9. General County Fund. Not to exceed 3 mills in counties having an assessed valuation of less than \$16,000,000.-00, not to exceed $2\frac{1}{2}$ mills in counties having an assessed valuation of \$16,000,000.00 or more and less than \$26,000,000.-00, not to exceed 2 mills in counties having an assessed valuation of \$26,000,000.00 or more and less than \$32,000,000.00 and not to exceed $1\frac{1}{2}$ mills in counties having an assessed valuation of \$32,000,000.00 or more.

Counties having a population of 35,000 or more, and not more than 40,000, and have an ordnance plant located therein owned by the U. S. government, may with the approval of the state comptroller, levy not to exceed 2 mills under the provisions of this section.

Temporary levy—Counties unable to pay from the general fund the increased salaries authorized by Section 6, Chapter 151, acts of the 51st G. A. may levy up to $\frac{1}{2}$ mill in addition to the levy provided in section 444.9, code of 1946.

When the general fund or any other county fund is to be augmented by the receipt of money from another fund or another source this fact should be shown in the budget in arriving at the tax levy.

444.10. Court Expense Fund. Not to exceed $\frac{3}{4}$ mill provided the county fund will not take care of court expenses. The fund can only be used for court expenses chargeable to the county except: 340.17. The salary of the clerk of the court and deputies may be paid from said fund.

252.43. Poor Fund. Not exceeding $1\frac{1}{2}$ mills on the dollar to be entered on the tax lists and collected as ordinary county tax.

444.12. State Institution Fund. The board shall establish a state institution fund and levy a tax sufficient to pay for the cost of support, commitment and transportation of patients in state institutions. This includes all the institutions under the Board of Control and in addition includes the School for the Blind and the School for the Deaf. Any deficiency shall be paid from the general county fund.

230.24. County Insane Fund. Not to exceed $\frac{3}{8}$ mill to be used to care for insane patients at the county home or to make additions or improvements to properly care for such patients.

298.10. County School Fund. Not less than $\frac{1}{4}$ nor more than $\frac{3}{4}$ mill.

250.1. Soldiers Relief Fund. Not to exceed 1 mill. To be expended as provided in chapter 250.

165.18. Bovine Tuberculosis Eradication. Not exceeding $\frac{3}{4}$ mill. **165.34. Duty of board of supervisors to levy.**

164.21. Bangs Disease Eradication. The board shall make a levy each year of not to exceed $\frac{1}{2}$ mill. **164.24.** Levy may be omitted when the board is so advised by the Secretary of Agriculture.

24.6. Emergency Fund. Not to exceed 1 mill after receiving proper approval.

174.13. County Fair and 4-H Club Fund. May levy a tax of not to exceed $\frac{1}{4}$ mill for the purpose of fitting up or purchasing fairgrounds or for aiding boys and girls 4-H club work in connection with the fair.

174.17. County Fair Ground Fund. Counties having acquired land for fair purposes may levy not to exceed $\frac{1}{4}$ mill to be known as the fairground fund. Any county having population between 35,000 and 40,000 shall levy 2 mills upon approval of the voters.

444.11. County Orphans Fund. Not to exceed $\frac{1}{8}$ mill for the purpose set out in the law.

239.11. Aid to Dependent Children. This section provides that the county shall pay its share of aid to dependent children from the county poor fund, except that counties with a population of 60,000 or more may levy an additional $\frac{1}{4}$ mill and counties with a population of over 35,000, and less than 60,000, may levy an additional tax of not to exceed $\frac{1}{8}$ mill.

Under section 239.15, in case of the discontinuance of any contribution or grant the county may levy not more than $\frac{1}{2}$ mill additional for the purpose of the act. Under a condition of this kind it would appear that counties could increase the poor fund levy not to exceed $\frac{1}{2}$ mill where they appropriate for child aid from the poor fund.

In counties of more than 35,000 population when the poor fund is inadequate to pay the county share of child aid the extra $\frac{1}{8}$ or $\frac{1}{4}$ mill should be levied separately from the poor fund.

Widows pension law was repealed by chapter 130, Acts of the 50th General Assembly.

232.35, 232.36. Children's Detention Home. In certain counties not to exceed $\frac{1}{4}$ mill for maintaining a detention home for children and paying necessary salaries and expenses.

347.7. County Hospital Fund. When a county hospital is established a tax shall be levied at the rate voted but not to exceed $\frac{1}{2}$ mill in any one year for the erection and equipment and also not to exceed 1 mill for the improvement, maintenance and replacements of the hospital as certified by the board of hospital trustees. Counties with a population of 135,000 or over may levy 2 mills for improvements and maintenance.

347.2. County Hospital Bond. Any county in which there is an established county public hospital building, when voted to erect and equip hospital buildings and additions thereto and procure sites for such hospitals, shall make provision for the payment of principal and interest on bonds issued out of the county hospital fund by a tax levy within the limits of section 347.7.

256.2. County Detention Hospital. Levy to Pay Bonds. Tax necessary to pay bonds and interest as they become due.

140.13. Detention Hospitals for Venereals. Not to exceed $\frac{1}{2}$ mill.

37.7. Memorial Halls. For bonds, a tax of not to exceed 4 mills for 20 years. **37.8.** For maintenance, not to exceed $1\frac{1}{4}$ mills.

378.15. Library Contract. Not to exceed $\frac{1}{4}$ mill to fulfill obligation under contract.

404.14. By County for City Park. Park Commission.

404.15. By County for City Bridges. When voted.

346.10. County Bonds. Not to exceed $\frac{3}{4}$ mill except as otherwise provided by law and unless the voters authorize a higher rate.

346.11. County Bonds and Interest. A tax levy in an amount sufficient to pay principal and interest on bonds issued under the provisions of Chapter 346 and within certain time limitations.

309.89. Bridges over State Boundary Lines. To build and maintain $\frac{1}{4}$ mill. Bonds issued for such purposes the board shall levy a tax sufficient to pay principal and interest.

357.22. Benefited Water Districts. Deficiency levy 3 mills.

357.23. Disposition of surplus tax.

Secondary Roads

309.6. Construction Fund. Not to exceed $\frac{1}{2}$ mill on all taxable property in the county except in cities controlling their own bridge levies.

309.7. Construction Fund. Not to exceed $\frac{5}{8}$ mill on all taxable property in the county except in cities and towns. (Townships only).

309.11. Optional Maintenance Levies. Not to exceed 2

mills on all taxable property in the county except in cities and towns controlling their own bridge levies.

Not to exceed 5 mills on the taxable property in the county except property within cities and towns. (Townships only).

309.14. Optional Maintenance or Construction Levies. Not to exceed $\frac{5}{8}$ mill on all the taxable property in the county, same to be used for construction or maintenance as the board may direct.

The use of secondary road funds is subject to the provisions of Chapter 309 of the Code.

310.33. Farm-to-Market Road Fund.

When this money is available for county road construction the estimated expenditure for such purpose should be included in the regular county budget, but of course no tax will be levied.

Moneys and Credits

429.2. Moneys—Credits—Annuities—Bank Notes—Stock. Moneys and credits as defined in sections 429.1 and 429.2 shall be taxed upon the uniform basis throughout the state of 5 mills on the dollar of actual valuation, same to be assessed and collected where the owner resides.

429.3. Levy—Division of Money Collected. The millage tax provided for in section 429.2 shall be in lieu of all other taxes upon moneys and credits and shall be levied by the board of supervisors, placed upon the tax list and collected by the county treasurer, and the amount collected in each taxing district inside of cities and towns shall be apportioned 20 percent to the county general fund, 30 percent to the city or town general fund, and 50 percent to the general fund of the school district, and outside of cities and towns shall be apportioned 50 percent to the county general fund and 50 percent to the school general fund.

444.3. Moneys and Credits Tax Replacing Direct Property Tax. The county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section 429.2 and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made.

The distribution of the tax derived from moneys and credits is to be made as provided in section 429.3.

SECTION III

Townships

359.30. Township Cemeteries. At the regular April meeting of the trustees they shall levy a tax sufficient to pay for land condemned or purchased or for the necessary improvement and maintenance of a cemetery or cemeteries in the township or in the adjoining township if they deem it advisable.

359.33. Non-Owned Cemeteries—Optional Levy. Not to exceed $\frac{1}{4}$ mill to improve and maintain any cemetery not owned by the township but devoted to general public use.

Applies to all non-owned cemeteries in the township and not to each separate cemetery.

359.35. Cemetery Funds—Use. Cemetery tax funds of a township may be used for the maintenance and support of cemeteries in adjoining counties and townships and in cities and towns if such cemeteries are utilized for burial purposes by the people of the township.

359.19. Litigation Fund. Tax necessary to pay expense of litigation.

Fire Equipment

359.42. Authorization. The township trustees of any township may purchase, own, rent, or maintain fire apparatus or equipment and provide housing for same and furnish services in the extinguishing of fires in said township, independently or jointly with any adjoining township or townships, likewise authorized as herein provided, or with any city or town.

359.43. Levy. The township trustees may levy an annual tax not exceeding 1 mill on the taxable property in the township for the purpose of exercising the powers granted in section 359.42, when so authorized by an affirmative vote equal to at least 60 percent of the total vote cast for and against a proposal therefor at an election held pursuant to section 359.44.

359.44. Election. Such proposal to levy the tax provided for in section 359.43 may be submitted by the township trustees at any regular election held in the township, or at a special election called for the purpose, and such township trustees shall submit the proposition when petitioned therefor by 25 percent of the qualified electors of said township. Notice of said election shall be given by posting in 3 public places in said township, not less than 10 days before the time of such election.

359.45. Anticipatory Bonds. Townships may anticipate the collection of taxes authorized by sections 359.43 and 359.44, and for such purposes may issue bonds payable in not more than 10 equal annual installments and at a rate of interest not exceeding 5 percent per annum and payable at such place and be in such form as the board of trustees shall designate by resolution. Sections 23.12 to 23.16, inclusive, and chapter 408, so far as applicable, shall apply to such bonds.

360.2. Township Hall. A tax of not to exceed $\frac{3}{4}$ mill when authorized by the voters and for not to exceed 5 years.

360.8. Township Hall Repairs. A tax of not to exceed $\frac{1}{8}$ mill may be levied.

378.14. Township Library Tax. When authorized to contract for the services of a free public library, the trustees may levy a tax of not to exceed $\frac{1}{4}$ mill.

SECTION IV

Cities and Towns

On the pages immediately following are printed laws authorizing tax levies for cities and towns for their various funds and activities. As stated elsewhere in this pamphlet, the legality of a tax levy does not depend altogether upon the statutory millage rate but partly upon the laws relating to budgets and expenditures which make necessary the raising of revenue by taxation. The planning of a budget is the first consideration and in this way the amount of tax to be raised is determined but of course within certain limitations.

Below are enumerated some of the laws which must be taken into consideration and which affect the legality of the tax levy.

24.3. Requirements of Local Budget. No municipality shall certify or levy in any year any tax on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:

1. The amount of income thereof for the several funds from sources other than taxation.
2. The amount proposed to be raised by taxation.
3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.
4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the 2 preceding years.

24.4. Estimates—Time of Filing. All such estimates shall be made and filed a sufficient length of time in advance of any regular or special meeting at which tax levies are authorized

to be made, to permit publication, discussion, and consideration thereof and action thereon.

24.5. Estimates Itemized. The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the State Board.

24.7. Supplemental Estimates. Supplemental estimates for particular funds may be made for levies of taxes for future years when the same are authorized by law. Such estimates may be considered, and levies made therefor at any time by filing the same, and upon giving notice in the manner required in section 24.9. Such estimates and levies shall not be considered as within the provisions of section 24.8.

24.8. Estimated Tax Collections. The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The estimate shall show the number of dollars of taxation for each 1,000 dollars of the assessed value of all property that is assessed.

24.10. Levies Void. The verified proof of the publication or posting of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published or posted and filed.

24.14. Tax and Expenditures Limited. No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 24.6, 24.15 and paragraph 4 of section 343.11.

Section 24.14 is the budget law limitation on taxes and expenditures. No greater tax or expenditure can be made than was entered in the published estimate and considered at the public hearing.

Expenditures decided upon at the hearing limit the amount that can be expended in the year to which the budget applies. This is the interpretation of the law by the Attorney General and the decision of the Supreme Court in the case of Clark vs. the City of Des Moines. 267 N. W. 97; 222 Ia. 317.

24.15. Further Tax Limitation. No tax shall be levied by any municipality in excess of the estimates published, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed

thereon now or hereafter by the constitution and laws of the state.

24.20. Tax Rates Final. The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the ensuing year for the purposes set out in the budget.

Tax Levies

Authority for tax levies for cities and towns with code reference. See latest code of Iowa for detailed information and application of the law.

404.1. General Revenue. Not more than $2\frac{1}{2}$ mills applicable to cities and towns under the general law. 420.190. In special charter cities, not more than $2\frac{1}{2}$ mills.

404.5. Grading. Not more than $\frac{3}{4}$ mill. Cities and towns under the general law. Par. 1. 420.191. Cities under special charter. Par. 1. (See Sec. 403.10 and Sec. 403.14.)

404.5. Improvement. Cities and towns under general law not more than $1\frac{1}{4}$ mills. Par. 3. 420.191. Special charter cities, not more than $1\frac{1}{2}$ mills. Par. 2. (See Sec. 403.10 and Sec. 403.14.)

404.2. Road Dragging. Not more than $\frac{1}{4}$ mill. Applicable to cities of less than 8,000 and towns.

404.5. Snow Removal. Not to exceed $\frac{1}{2}$ mill in cities having population of less than 125,000. Par. 31. 420.199. Applicable to special charter cities.

404.3. City Bridge. For the construction, reconstruction, maintenance and repair of bridges and viaducts. Applicable to cities traversed by a stream of a certain size, including special charter cities. Section printed in full on page 21.

404.5. Sewer. Not more than $1\frac{1}{4}$ mills if the town comprises one district. Par. 5. If divided into districts, not more than $1\frac{1}{4}$ mills within that particular district. Par. 6. (See Section 403.10 and Section 403.14.) 420.101. Applicable to special charter cities.

404.7. Main Sewer. Any city of the first class may levy not to exceed $1\frac{1}{4}$ mills for the construction, reconstruction or repair of any main sewer within the city; but the aggregate tax levied by such city for the sewer fund, district sewer fund, and main sewer fund shall not exceed 2 mills.

404.5. Garbage Disposal and Street Cleaning and Oiling. Cities and towns within any sanitary district may levy for garbage disposal, oiling and sprinkling, flushing and cleaning of streets as follows: Cities of less than 5000, not to exceed 2 mills; cities of 5000 and less than 25,000, not to exceed 1 mill; cities of more than 25,000, $\frac{3}{4}$ mill. Par. 16. Applicable to special charter cities. (See Sections 404.11, 420.101, 420.-197.)

404.5. Water. Not more than $1\frac{1}{4}$ mills. This tax to be used only to pay for water contracted by the municipality. Par. 2. Applicable to special charter cities.

404.5. Water Works. Not more than $1\frac{1}{4}$ mills. To pay for operation and maintenance. Par. 17. Applicable to special charter cities. (See Sections 404.11, 420.101.)

Cities and towns will levy either "Water" or "Waterworks", depending upon how the water is furnished. They cannot levy for both purposes.

404.5. Light. Cities of more than 5,000, not more than $1\frac{3}{4}$ mills. In cities of 5,000 or less and towns, not exceeding $2\frac{1}{4}$ mills. This tax is to pay for gas, electric light, heat, or power furnished the municipality by an individual corporation and the expense of inspection, salaries, etc. Par. 10. Applicable to special charter cities.

Consolidated Levy

The above funds or fewer may be consolidated and levied as one fund under Section 404.11. (See law printed on page 22 of this pamphlet.)

Millage Limitations, Consolidated Fund

Towns without a water or sewer system.....total millage	9.50
Cities and towns of less than 5,000 population with a water and sewer system but not levying a main sewer or bridge tax....	" " 12.00
Cities of more than 5,000 and less than 8,000 population not levying a main sewer or bridge tax	" " 10.50
Cities of more than 8,000 and less than 25,000 population not levying a main sewer or bridge tax	" " 10.25
Cities of more than 25,000 and less than 125,000 population not levying a main sewer or bridge tax	" " 9.50

Other Funds and Tax Levies

404.5. Water, Light, and Sewer Bonds. Cities and towns may levy not less than sufficient to pay bonds at maturity and certain proportions prior thereto. Par. 11 and 12.

404.5. Library. Not more than $1\frac{1}{4}$ mills for maintenance in cities of more than 35,000 and 2 mills in cities and towns of less than 35,000. Also $\frac{3}{4}$ mill for real estate, building or improvement. Par. 19 and 20. Applicable to special charter cities. Also see Code.

390.2. Parking Lot. Not more than $\frac{1}{2}$ mill to be used to acquire land for a municipally owned parking lot. Applicable to special charter cities.

404.5. Hospital, Municipal. Not more than $\frac{3}{4}$ mill in cities of over 22,000 and not more than $1\frac{1}{4}$ mills in cities of less than 22,000 for not exceeding 20 years. Par. 26.

Cities having a population of not less than 4,000 and not more than 5,000 in which a municipal hospital has been established, may levy, under the provisions of this section, not to exceed $2\frac{1}{2}$ mills, for rebuilding, remodeling, or enlarging such hospital.

404.5. Hospital Improvements and Maintenance. Not more than $1\frac{1}{2}$ mills. Par. 27.

404.5. City Hall. To build, purchase or remodel a city or town hall. Any city of more than 4,000 not to exceed $\frac{1}{2}$ mill. Cities and towns of 4,000 or less not more than $1\frac{1}{4}$ mills. Par. 28. Cities and towns of 5,000 or less may levy not to exceed 1 mill to improve, operate and maintain a city or town hall. Par. 33. 420.87. Applicable to special charter cities.

375.1. Band Fund. Not to exceed $\frac{1}{2}$ mill in cities of not over 40,000 and towns, provided such levy is authorized by a majority of the voters at a general city election. An additional $\frac{1}{2}$ mill may be levied for educational purposes under certain conditions. Over 40,000 and under 125,000 population not exceeding $\frac{1}{8}$ mill. 420.85. Applicable to special charter cities.

370.6. Park. For general purposes. Not more than $\frac{5}{8}$ mill. (Applicable to cities and towns having a park commission.) Also special charter cities.

In certain cities under certain conditions, an additional $\frac{3}{8}$ mill.

370.7. Park Improvement. To be voted. Limited to $1\frac{1}{4}$ mills and to cities of more than 2,500. 420.84. Applicable to special charter cities.

404.5. Juvenile Playground and Swimming Pool Fund. When established such number of mills as will liquidate at

maturity bonds issued for its acquirement. 420.86. Applicable to special charter cities.

404.5. Playground or Swimming Pool Maintenance Fund. Not more than $\frac{1}{2}$ mill to pay for maintenance, operation and improvement of an established playground or swimming pool. Par. 25. 420.198. Special charter cities, 1 mill.

404.5. Comfort Stations. When authorized to maintain, no more than $\frac{1}{2}$ mill. Par. 15. Establishment, Chapter 376, Code. Such expense may be paid from the general fund.

404.5. Community Center Establishment Fund. When a community center district has been established not to exceed $\frac{3}{4}$ mill for twenty years to construct and equip a community center building. Par. 22.

404.5. Community Center Improvement and Maintenance. Not more than $1\frac{1}{4}$ mills in cities where community center districts are authorized. Par. 23.

24.6. Estimates for Emergencies. Each municipality may include in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose, not to exceed 1 mill. Levy for the emergency fund can not be made without the approval of the State Comptroller. 420.191, Par. 14. Applicable to special charter cities.

404.4. Agricultural Lands. Tracts of land within the limits of any city or town containing more than 10 acres and which are in good faith occupied and used for agricultural or horticultural purposes shall not be taxed for city or town purposes, except that said land and all personal property necessary to the use and cultivation of said land shall be subject to a tax for city and town road, $1\frac{1}{4}$ mill, and library purposes. 420.194. Applicable to special charter cities.

404.5. District Sewer Fund. Not more than $1\frac{1}{4}$ mills within a sewer district. Par. 6.

404.5. Sewer Outlet, Purifying Plant and Dump Ground Fund. Not more than $1\frac{1}{4}$ mills. To be used only to construct sewer outlets and sewer disposal plants and to purchase dump grounds. Not a part of the sewer fund. Commonly known as sewage disposal fund. Par. 7.

404.5. Fire Equipment Fund. No more than $\frac{3}{8}$ mill to acquire property for a fire department and to equip same. Par. 8.

Referred to in sections 368.33 and 408.10.

Applicable to special charter cities. Section 420.196.

404.5. Fire Maintenance Fund. Cities with a population of more than 8,000 not more than 4 mills; cities of less than 8,000 population $1\frac{3}{4}$ mills and towns $\frac{3}{4}$ mill. This levy is to be used only to maintain a fire department except that cities of less than 3,000 and towns may use the fund for purchasing fire equipment. Par. 9.

Applicable to special charter cities.

404.5. Electric Light Plant Fund. Not more than $1\frac{1}{4}$ mills in cities of more than 5,000 population or $1\frac{3}{4}$ mills in cities and towns of less than 5,000 who own and operate an electric light plant to be used to pay for street lighting and other public purposes. Revenue shall be paid and credited to the electric light plant fund. Par. 30.

404.5. Gas or Electric Fund. If the authorized rates or rentals are insufficient to meet operating expenses or the interest on outstanding light plant bonds a levy may be made of not more than $1\frac{1}{4}$ mills to pay deficiency. Par. 18. 420.191. Applicable to special charter cities.

404.5. Library Maintenance Fund. When a free public library has been established, not exceeding $1\frac{1}{4}$ mills in all cities and towns having a population of more than 35,000, and not exceeding 2 mills in cities having less than 35,000, which shall be used only for its maintenance. Provided that said maintenance levy may be not to exceed $2\frac{1}{2}$ mills in any city of more than 10,000 population and less than 75,000 population and having situated therein a state-owned educational institution with a regular attendance of more than 3,000 students, and also a state commission regularly employing more than 100 heads of families. The rate of levy for this and the fund created by the following subsection shall be determined and certified to the council by the board of library trustees before the first day of August in each year. The council shall make such levies accordingly. Any moneys appropriated to the library fund and not expended during the fiscal year shall remain part of the library fund for the ensuing year, without reappropriation, and will be available for expenditure by the board of library trustees. Par. 19.

Referred to in Section 420.191.

Applicable to special charter cities.

404.5. Library Building Fund. Not to exceed $\frac{3}{4}$ mill to purchase real estate, erect a building for a public library, to pay interest or create a sinking fund to pay indebtedness. When a library building has been fully completed and paid for no further levy shall be made but a levy may be made for improvements and repairs or to lease space for branch libraries. Par. 20. See Code. 420.191. Par. 6. Applicable to special charter cities.

404.5. Library Contract Fund. Not to exceed $\frac{1}{4}$ mill by a city or town not having a free public library to secure for the inhabitants the free use of a library. The majority of resident taxpayers must petition the council to secure such privilege. Par. 21.

404.5. Cemetery Purchase Fund. Not to exceed $\frac{1}{4}$ mill for the purpose of acquiring land. Par. 13.

404.5. Cemetery Maintenance Fund. Any city, having a population of more than 30,000, not to exceed $\frac{1}{2}$ mill; any city having a population of more than 5,000, but not more than 30,000, not to exceed 1 mill; any city having a population of 5,000 or less and any town, not to exceed 2 mills; which shall be used only for the care, preservation, and adornment of any cemetery owned or controlled by the city or town, or owned and controlled by any private or incorporated cemetery association, township, or other municipality, even though situated in an adjoining county, if actually utilized for burial purposes by the people of the city or town. Said tax may be so expended for the support and maintenance of any such cemetery after it is no longer used for the purpose of interring the dead. Par. 14.

ADDITIONAL LEVY 330.16

330.7. Airport Fund—Expenditures—Levy of Tax. The cost to acquire, operate, equip, or maintain any city airport by a city or town shall, in addition to other income, be paid by the levy of an annual tax of not to exceed $1\frac{1}{4}$ mills on the dollar on all taxable property of said city or town. The tax authorized by this section shall not be levied by any city or town until approved by the electors of such city or town in accordance with the provisions of chapter 407, except in such cities or towns which now or may hereafter provide for the management or control of an airport by a commission under the provisions of section 330.17 to 330.24, inclusive. **420.76.** Applicable to special charter cities.

330.8. Airport Certificates or Bonds. Any such city or town may anticipate the collection of the special tax authorized to be levied under this chapter for a period of not more than 20 years, and for such purpose may issue "airport certificates or bonds", with interest coupons, and the provisions of chapter 408 shall apply to such certificates, bonds and coupons, with such changes only as are necessary to adapt them thereto.

Such certificates or bonds and interest coupons, shall be secured by said levy and shall be payable only out of the funds derived therefrom and pledged to the payment of the same and no certificates or bonds shall be issued in excess of taxes authorized and levied to secure the payment of the same. It shall be the duty of any such city or town to collect such funds

with interest thereon and to hold the same separate and apart in trust for the payment of said certificates, bonds and interest, and to apply the proceeds of such funds, pledged for that purpose, to the payment of such certificates, bonds and interest. 420.76. Applicable to special charter cities.

416.103. Parks and Cemeteries. Cities with a commission form of government may levy not more than 1 mill for caring for and improving the parks or cemetery owned by the city.

404.3. City Bridge Fund. Cities may levy annually a tax, which shall be used only for bridge purposes, and for the construction, reconstruction, maintenance and repair of viaducts, underpasses, grade crossing separations and approaches thereto, except those constructed or maintained by any railroad company under the provisions of chapter 387, as follows:

1. Any city with a population of more than 35,000 and with a meandered stream dividing its corporate limits, not exceeding 1 mill.

2. Other cities of the first class, not exceeding $\frac{3}{4}$ mill.

3. Cities of the second class with a population of more than 5,000 and traversed by a stream two hundred or more feet in width from shore line to shore line, not exceeding $1\frac{1}{4}$ mills.

4. Cities which have a population of 4500 and not exceeding 6,000, and which are traversed by a river and in which there are, within the corporate limits, at least twelve bridges used for general traffic, not exceeding $1\frac{1}{4}$ mills. 420.193. Applicable to special charter cities.

389.18. Metropolitan Lighting District. When any such city has been so divided into lighting districts, the city council of such city may levy a special tax upon the property embraced in such metropolitan lighting district, in addition to all other taxes provided by law, not to exceed $\frac{1}{2}$ mill to defray the expense in connection with the lighting of such district; such special tax to be paid at the same time and in the same manner as general taxes. 420.94. Applicable to special charter cities.

384.3. Dock Tax. Not more than $\frac{1}{2}$ mill to defray expenses of operation in excess of regular income. Par. 10. An additional tax of $\frac{1}{2}$ mill in cities of less than 30,000. Par. 13. 420.91. Applicable to special charter cities.

404.5. Drainage Tax. Such number of mills as will pay any special assessment with interest, or any installment thereof with interest, levied against any street, alley, highway, public way or park by the board of supervisors for drainage purposes. Par. 4.

395.22. Flood Protection Fund. Levy for deficiency. Not to exceed $1\frac{1}{4}$ mills.

420.155. Levee Improvement Fund. Not to exceed $\frac{1}{4}$ mill. Applicable to special charter cities. **416.92.** Commission form cities.

372.10. River Front Improvement Fund. Not to exceed $\frac{3}{4}$ mill subject to the approval of the city council.

387.6. Viaduct Fund. In cities of 12,000 or over not to exceed $\frac{1}{2}$ mill for the purpose of paying damage caused by the construction of a viaduct and approaches thereto. Expense may be paid from the general bridge fund. **420.92.** Applicable to special charter cities.

391.70. Roadway District Fund. Not to exceed $2\frac{1}{2}$ mills except cities of 50,000 or more may levy $3\frac{3}{4}$ mills.

406.1. Road Poll Tax. See chapter 406.

626.24. Judgment Fund. **420.249.** Applicable to special charter cities.

410.1. Police Pension Fund. Not to exceed $\frac{1}{8}$ mill.

420.110. Applicable to special charter cities.

Cities may exceed the above limitations for the pension funds if they have established a police or fire retirement system based upon actuarial tables as provided by chapter 411 of the code. Opinion of Attorney General.

416.116. Police Equipment and Apparatus. Not to exceed $\frac{1}{4}$ mill in cities with a commission form of government.

416.128. Tax for Fire Department. Not to exceed $1\frac{1}{2}$ mills applicable to certain cities.

420.64. The entire Chapter 37, Code 1946. Applicable to special charter cities.

37.1. Memorial Buildings and Monuments. Memorial buildings and monuments designed to commemorate the service rendered by soldiers, sailors, and marines of the United States may be erected and equipped at public expense in the manner provided by this chapter by any city or town operating under any form of government.

37.3. Election. Upon the filing of the requisite petition provided for in section 37.2, the city or town council, shall cause the proposition to be submitted at a regular election, or at a special election to be called if requested in the petition.

37.4. Notice. Notice of such election shall be given by publication or posting. For further details, see Code.

37.5. Acquisition of Site. When the proposition to erect any such building or monument has been carried by a majority vote of all voters voting thereon, any such city or town shall have the power to purchase or condemn grounds suitable for a site for any such building or monument. Such condemnation proceedings shall be in the manner provided for taking private property for works of internal public improvement.

37.6. Bonds. For the purpose of providing funds for the acquisition of necessary ground therefor, and for purchasing, erecting, constructing, or reconstructing such building or monument, and for the necessary equipment therefor, the county, city, or town may issue bonds to be known as liberty memorial bonds, to be issued and sold as provided by law relative to general county or city bonds; they shall provide for portions of such bonds to become due at different, definite periods, but none in less than five nor more than twenty years from date. In issuing such bonds, such county, city, or town may become indebted in an amount which, added to all other indebtedness, shall not exceed 5 percent of the assessed value of the taxable property in such county, city, or town as determined by the last state and county tax lists.

37.7. Levy for Bonds. For the purpose of liquidating such bonds together with the interest thereon, such county, city, or town shall levy upon all the property within the limits thereof, subject to taxation for such purpose, in addition to all other taxes provided by law, a special tax not exceeding in any one year 4 mills on the dollar for a period of not exceeding twenty years.

37.8 Levy for Maintenance. For the development, operation, and maintenance of such building or monument constructed, purchased, or donated under this chapter, there may be thereafter levied a tax as follows:

1. By a county owning same, not to exceed $1\frac{1}{4}$ mills on all the taxable property within said county.

2. By a city of the first class, having a population in excess of 50,000 persons as shown by the last preceding census, owning same, not to exceed 2 mills on all the taxable property within said city.

3. By any other first class city owning same, not to exceed 3 mills on all the taxable property within said city.

4. By a city of the second class owning same, not to exceed 4 mills on all the taxable property within said city.

5. By a town owning same, not to exceed 5 mills on all the taxable property within said town.

407.4. Application of Limitation. No indebtedness for the extraordinary purposes mentioned in section 407.3 shall be charged against or counted as a part of the $1\frac{1}{4}$ percent available for general ordinary purposes until the other $3\frac{3}{4}$ percent of the 5 percent of indebtedness permitted by the constitution has been exhausted.

Applicable to certain special charter cities of less than 2,000. Section 420.104.

Constitutional provision, Article XI, Section 3—5% limitation of indebtedness.

407.5. Election Required. No such indebtedness shall be incurred until authorized by an election. Any indebtedness for propositions mentioned in section 407.3 must receive the approval of the voters. Applicable to special charter cities.

Chapter 408. Bonds—By Cities and Towns. 420.107. Applicable to special charter cities.

408.1. Funding. Cities and towns may settle, adjust, renew, or extend the legal indebtedness they may have, or any part thereof, in the sum of one thousand dollars or upwards, whether evidenced by bonds, warrants, or judgments, and may fund or refund the same and issue coupon bonds therefor; but no bonds shall be issued under this section for any other purpose than is above authorized. **420.107.** Applicable to special charter cities.

408.10. Issuance of Bonds or Certificates in Anticipation of Special Taxes. 420.107. Applicable to special charter cities.

408.11, 408.12. Notice—Hearing—Appeal. See Chapter 408, Code.

396.22. Sewer Bonds Authorized. General obligation bonds within the 5 percent limitation. Applicable to indebtedness for improving and repairing streets previously improved under the provisions of chapter 391 of the code. Applicable to special charter cities.

407.1. Limitation. No county or other political or municipal corporation shall become indebted in any manner for its general or ordinary purposes to an amount exceeding in the aggregate $1\frac{1}{4}$ percent of the assessed value of the taxable property within such corporation. The value of such property shall be ascertained by the last tax list previous to the incurring of the indebtedness. Indebtedness heretofore or hereafter incurred by a county for poor relief purposes shall not be construed or regarded as having been incurred for its general or ordinary purposes insofar as said indebtedness may be incurred solely for poor relief purposes. **420.104.** Applicable to special charter cities of less than 2,000.

407.2. Limitation. No county, or other political or municipal corporation, shall become indebted in any manner, or

for any purpose to an amount, in the aggregate, exceeding 5 percent of the assessed value of the property within such county or corporation, to be ascertained by the last state and county tax lists previous to the incurring of such indebtedness.

407.3. Purposes. Cities and towns, when authorized by an election to acquire the following named public utilities and other improvements, may incur indebtedness for the purpose of:

1. Purchasing, erecting, extending, reconstructing, or maintaining and operating waterworks, gasworks, electric light and power plants, or the necessary transmission lines therefor, and heating plants.
2. Purchasing or erecting garbage disposal plants.
3. Erecting and equipping community center houses and recreation grounds.
4. Acquiring lands and establishing juvenile playgrounds, swimming pools, and recreation centers thereon or on lands already owned or to be leased by the city or town.
5. Constructing, purchasing, remodeling, or purchasing and remodeling city and town halls and acquiring sites therefor.
6. Erecting a building or buildings for a public library.
7. Purchasing sites for hospitals or sites with a building or buildings and constructing or reconstructing buildings to be used for hospitals.
8. Purchasing or constructing dams across streams for any proper municipal purpose.

420.103. Par. 2 and 5 are applicable to special charter cities.

Consolidated Fund—Estimate, Levy, and Appropriation

Cities and towns desiring to adopt the consolidated plan of levying and budgeting funds for general operating purposes should decide upon the funds which they can legally include in the consolidated group or which they desire to include in said group and draw a line through those not included. It is necessary to enter amounts and figures in columns 1 to 5 inclusive, opposite each fund printed in the consolidated group and fill in the total of each column for the funds consolidated. Column 6 may be entered in total only*. The names of the individual funds making up the consolidated group should appear in the printed notice for information of the county auditor in arriving at the correct millage.

If it is decided to include only a part of the funds in the consolidated levy the ones omitted may be written in elsewhere in the budget. Funds not consolidated are entered in the budget in the usual manner. The purpose of the revised

consolidated fund is to give the city or town one fund for general operating purposes to be appropriated in detail prior to the beginning of the fiscal year. Appropriations are made to purposes or functions of government and not to funds.

*See Budget Estimate on page.

404.11. Consolidated Levy.

In lieu of any or all the separate annual levies for the General Fund (section 404.1), Grading Fund (subsection 1 of section 404.5), Improvement Fund (subsection 3 of section 404.5), City or Town Sewer Fund (subsection 5 of section 404.5), Water or Water Works Funds (subsection 2 or 17 of section 404.5), Gas, Electric Light or Power Fund (subsection 10 of section 404.5), Snow Removal Fund (subsection 31 of section 404.5), Garbage Disposal Fund (subsection 16 of section 404.5), Drag Fund (section 404.2), Bridge Fund (section 404.3), and Main Sewer Fund (section 404.7), cities and towns may levy one tax which shall not in the aggregate exceed the total amount of the sum of the individual levies. There shall not be included in the city or town consolidated tax levy any fund not applicable to such city or town under the law. The funds to be included in such consolidated levy shall be indicated in the budget and certificate of taxes, but one amount may be budgeted and levied for the entire group of funds applicable to the city or town making the levy. Applicable to special charter cities.

404.12. Appropriation of Levy.

The city or town making such levy shall prior to the first day of April thereafter, appropriate by ordinance in cities, and by resolution in towns, the estimated revenue from such consolidated levy, together with the estimated revenue from all other levies, to any or all of the various purposes for which said levies are by law authorized. Funds or levies so consolidated shall be placed in one fund to be known as the consolidated fund, and all claims ordinarily paid from these separate levies referred to in this section for general operating purposes shall be paid from this fund in accordance with the appropriations previously adopted. Appropriations shall be made for the various operating purposes in the amounts decided by the council, but in no event shall transfers be made between appropriations except with the approval of the state comptroller. The above-mentioned appropriations shall also include receipts from sources other than taxation, estimated unencumbered balances from the previous year, and any contemplated transfer from funds other than those of the consolidated group. In no event shall the total amount appropriated exceed the amount proposed to be expended in accordance with subsection 3 of section 24.3. Applicable to special charter cities.

**Budget Estimate and Record of Filing
TOWN AND CITY ESTIMATE**

NOTICE—The Town City council of _____ of _____
County, Iowa, will meet _____, 19____, at _____ M., at _____
Taxpayers will be heard for or against the following estimate of expenditures for the year beginning
April 1, 19____. A detailed statement of receipts and disbursements both past and anticipated will be
available at the hearing.

CONSOLIDATED FUNDS	Town—City Clerk					
	1	2	3	4	5	6
	Expenditures for Year		Proposed	Estimated	Estimated	Amount
	Apr. 1, 19____ to Mar. 31, 19____	Apr. 1, 19____ to Mar. 31, 19____	Expendi- tures Estimated 19____-19____	Unencum- bered Balance April 1, 19____	Income Other Than Taxation 19____-19____	Necessary to be raised by Taxation 19____-19____
General	\$45,000	\$50,000	\$51,000	\$1,000	\$ 8,000	
Grading	1,000	900	1,000			
Improvement	500	1,000	800			
Road Dragging	600	400	500			
Snow Removal	500	475	500			
City Bridge						
Sewer	6,000	4,000	5,000			
Main Sewer						
Garbage Disposal	3,000	2,800	3,000		1,000	
Water or Waterworks	10,000	8,000	9,000		1,000	
Light	7,500	7,500	7,500		500	
TOTAL CONSOLIDATED	\$74,100	\$75,075	\$78,300	\$1,000	\$10,500	\$66,800

When consolidated fund is used, the foregoing form bears the approval of the Attorney General and when it is prepared and published (or posted in municipalities of 200 population or less) complies with the requirements of sections 24.3, 24.5 and 24.10, Code, 1946.

**Budget Estimate and Record of Filing
TOWN AND CITY ESTIMATE**

NOTICE—The Town (City) council of _____ of _____
County, Iowa, will meet _____, 19____, at _____ M., at _____
Taxpayers will be heard for or against the following estimate of expenditures for the year beginning
April 1, 19____. A detailed statement of receipts and disbursements, both past and anticipated, will be
available at the hearing.

Town—City Clerk.

FUNDS	1 Expenditures for Year		3 Proposed Expendi- tures Estimated	4 Estimated Unencum- bered Balance	5 Estimated Income Other Than Taxation	6 Amount Necessary to be raised by Taxation
	Apr. 1, 19____ to Mar. 31, 19____	Apr. 1, 19____ to Mar. 31, 19____	19____-19____ Estimated	April 1, 19____ Balance	19____-19____ Taxation	19____-19____ by Taxation
General	\$ 45,031.83	\$ 51,747.08	\$ 55,865	\$ _____	\$ 40,000	\$ 15,865
Grading	1,103.48	1,066.78	4,760	_____	_____	4,760
Improvement	46.38	1,098.80	7,933	_____	_____	7,933
Sewer	6,809.17	12,658.61	7,933	_____	_____	7,933
Water	10,009.37	8,920.00	8,433	500	_____	7,933
Light	7,443.82	7,843.55	8,233	300	_____	7,933
Consolidated	70,444.05	83,334.82	93,157	800	40,000	52,357
Sewage Disposal	187.35	None	_____	_____	_____	_____
Garbage Disposal	2,898.00	3,796.19	3,173	_____	_____	3,173
Snow Removal	1,254.50	714.50	5,673	2,500	_____	3,173
Fire Maintenance	16,608.38	19,002.93	25,857	300	_____	25,557
Fire Equipment	2,287.13	1,797.25	3,377	1,000	_____	2,377
Road, (Agri. Land)	140.50	85.50	325	200	_____	125
Library	8,670.85	11,378.60	8,933	500	500	7,933
Band	2,866.45	2,920.75	3,573	400	_____	3,173
Park	_____	_____	3,866	_____	_____	3,866
Cemetery	3,675.23	3,069.68	3,587	500	1,500	1,587
Dock	1,118.95	492.30	8,173	5,000	_____	3,173
Firemen's Pension	1,842.00	1,254.25	8,593	7,000	800	793
Firemen's Retirement	_____	_____	2,300	2,000	_____	300
Policemen's Pension	1,260.00	1,260.00	3,093	2,000	300	793
Emergency	5,000.00	10,576.13	6,346	_____	_____	6,346
Judgment	1,720.32	281.00	_____	_____	_____	_____
General Bonds	687.50	25,687.50	_____	_____	_____	_____
TOTALS	\$120,657.21	\$165,651.40	\$180,626	\$ 22,500	\$ 43,100	\$115,026

The above is a copy of a city budget which is well arranged with estimated expenditures balancing with estimated revenue. When consolidated fund is **not** used, this is the proper form to be published (municipalities of 200 population or less may post) and certified.

363.36. City and Town Councils. City and town councils shall make separate appropriations in cities for all the different expenditures of the city government for each fiscal year at or before the beginning thereof, and it shall be unlawful for it or any officer, agent, or employee of the city to issue any warrant, enter into any contract, or appropriate any money in excess of the amount thus appropriated during the year for which the appropriation is made. No city shall appropriate in the aggregate an amount in excess of its annual legally authorized revenue, but cities may anticipate their revenues for the year for which appropriation is made, or bond or refund their outstanding indebtedness. Par. 16.

366.4. Majority Vote. No resolution or ordinance for any of the purposes hereinafter set forth, except as specifically provided by law, shall be adopted without a concurrence of a majority of the whole number of members elected to the council, by call of the yeas and nays which shall be recorded: To pass or adopt any ordinance or resolution for the appropriation or payment of money. In cities all money shall be appropriated by ordinance, but in towns it may be appropriated by resolution. Par. 3.

404.17. Anticipation of Revenue. Loans may be negotiated or warrants issued by any municipal corporation in anticipation of its revenues for the fiscal year in which such loans are negotiated or warrants issued, but the aggregate amount of such loans and warrants shall not exceed the estimated revenue of such corporations for the fund or purpose for which the taxes are to be collected for such fiscal year.

404.24. Diversion of Funds. Any councilman or officer of a city or town who shall participate in, advise, consent, or allow any tax or assessment levied by such city or town or by other lawful authority for city or town purposes to be diverted to any other purpose than the one for which it was levied and assessed, or who shall in any way become a party to such diversion, shall be guilty of embezzlement.

SECTION V

School Taxes

Tax levies for general operating purposes for schools differ from those of other certifying boards in that the amount of revenue which can be raised depends upon the number of persons of school age residing in the district.

279.22, 291.9. School Census. The law requires that a school census be taken between June 1 and July 1 of each even numbered year listing the names and ages of all children resid-

ing in the district who are between five and twenty-one years of age.

The census or enumeration is used as a basis for levying a tax for the support of the school.

24.3. Requirements of Local Budget. No municipality shall certify or levy in any year any tax on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:

1. The amount of income thereof for the several funds from sources other than taxation.
2. The amount proposed to be raised by taxation.
3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.
4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the 2 preceding years.

24.4. Time of Filing Estimates. All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

24.5. Estimates Itemized. The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the State Board.

Referred to in Section 444.7.

24.7. Supplemental Estimates. Supplemental estimates for particular funds may be made for levies of taxes for future years when the same are authorized by law. Such estimates may be considered, and levies made therefor at any time by filing the same, and upon giving notice in the manner required in section 24.9. Such estimates and levies shall not be considered as within the provisions of section 24.8.

24.8. Estimated Tax Collections. The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing year. The estimate shall show the number of dollars of taxation for each 1,000 dollars of the assessed value of all property that is assessed.

Net estimated taxes: The estimate should show the net amount to be raised in each fund by taxation, which should be the difference between the estimated expenditures and the estimated receipts from other sources.

24.9. Filing Estimates—Notice of Hearing. Each municipality shall file with the secretary or clerk thereof the estimates required to be made in sections 24.3 to 24.8, inclusive, at least 20 days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon, and shall publish such estimates and any annual levies previously authorized as provided in section 76.2, with a notice of the time when and place where such hearing shall be held at least 10 days before the hearing. Provided that in rural independent districts, and school townships, and municipalities of less than 200 population, such estimates and the notice of hearing thereon shall be posted in 3 public places in the district in lieu of publication.

For a county, such publication shall be in the official newspapers thereof.

For any other municipality such publication shall be in a newspaper published therein, if any, if not, then in a newspaper of general circulation therein.

24.10. Levies Void. The verified proof of the publication or posting of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published or posted and filed.

This applies to the estimate published in a newspaper or posted.

24.14. Tax Limited. No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 24.6, 24.15 and paragraph 4 of section 343.11.

24.15. Further Tax Limitation. No tax shall be levied by any municipality in excess of the estimates published, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

24.20. Tax Rates Final. The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the ensuing year for the purposes set out in the budget,

Establishment of School Funds

291.13. General and Schoolhouse Funds. The money collected by a tax authorized by the electors or the proceeds of the sale of bonds authorized by law or the proceeds of a tax estimated and certified by the board for the purpose of paying interest and principal on lawful bonded indebtedness or for the purchase of sites as authorized by law, shall be called the schoolhouse fund and, except when authorized by the electors, may be used only for the purpose for which originally authorized or certified. All other moneys received for any other purpose shall be called the general fund. The treasurer shall keep a separate account with each fund, paying no order that fails to state the fund upon which it is drawn and the specific use to which it is to be applied.

Authority For School Taxes

298.1. School Taxes. The board of each school corporation shall at its regular meeting in July, or at a special meeting called between the time for the regular meeting and the twenty-fifth day of July, estimate the amount required for the general fund. The amount so estimated shall not exceed the following sum for each person of school age:

1. In consolidated districts maintaining an approved high school course, one hundred fifteen dollars.
2. In school corporations having a school enumeration of 10,000 or more, seventy-five dollars.
3. In all other school corporations, one hundred dollars; provided that corporations not maintaining an approved high school and which have tuition pupils attending high schools in other districts may levy such an additional amount above the said one hundred dollars as will be necessary to pay the cost of tuition for such pupils.
4. In independent districts maintaining an approved high school course, one hundred dollars.

298.2. Emergency Increase—Approval. In all school districts where the maximum statutory allowances provided in section 298.1 are not sufficient to meet the budget requirements, upon proper showing by any such school district the state comptroller may authorize such district to levy an additional amount above the said maximum statutory allowance for each person of school age in the district, up to but not in excess of 35 percent.

298.3. Additional Taxes. If the amount so estimated in any school corporation does not equal \$1,000.00 for each school thereof, the corporation may estimate not to exceed \$1,000.00 for each school in the corporation. Such districts

may levy an additional amount to meet actual tuition requirements. (Opinion Attorney General, 1930, page 204).

298.4. Transportation Fund—Tax for Free Textbooks. In addition to the amounts authorized by sections 298.1 and 298.3, school boards may include in their estimates not to exceed \$5.00 for each person of school age for transporting children to and from school, when authorized by law; also the additional sum authorized by section 301.4.

301.4. Text Books and Supplies. Not to exceed in any 1 year the sum of \$1.50 for each pupil residing in the corporation. Additional to other taxes.

Special School Levies

298.7. Contract for Use of Library. Not to exceed $\frac{1}{4}$ mill on dollar of taxable property in district. Does not apply to township where contract for other library facilities is in existence.

300.3. Playground Tax. Applicable to all cities of the first and second class, special charter cities and cities under the commission form of government when voted by the electors of the district, not more than $\frac{1}{2}$ mill. **300.6.** The levy shall stand as voted until discontinued by the voters.

294.8. Teachers Pension Fund. Independent districts in cities of certain size may establish a pension system. 97.6 State

294.9. Source of Funds.

278.1. School House Fund. Not more than $2\frac{1}{2}$ mills when so voted by the electors of the district at the regular or special election. The proceeds of such tax to be used for the purchase of grounds, construction of schoolhouses and the payment of debts contracted for the erection of schoolhouses. Par. 7. The proposition should state the number of years the tax is to run.

278.3. Special Sub-district Schoolhouse Tax. May levy not to exceed $3\frac{3}{4}$ mills when voted by the electors of the subdistrict. The tax shall be levied only on property within the subdistrict.

297.5. Purchase of Schoolhouse Sites. Not to exceed 1 mill. Applicable to all cities, including cities under special charter, manager plan and commission form of government.

298.18. Schoolhouse Bond Fund. The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county for the

schoolhouse fund the amount required to pay interest due or that may become due for the year beginning January 1 thereafter, upon lawful bonded indebtedness, and in addition thereto such amount as the board may deem necessary to apply on the principal.

The amount estimated and certified to apply on principal and interest for any one year shall not exceed 7 mills on the dollar of the assessed valuation of the taxable property of the school corporation. Provided that when because of reduced valuation a 7 mill tax is not sufficient to produce the amount required to pay the interest and one-twentieth of the principal of the original issue of bonds legally issued prior to the year 1934, the board may certify such amount and the county auditor shall compute and apply such tax rate for such purposes as may be necessary to raise the amount so certified and the funds so raised shall be used only for the purpose of paying interest and principal on such bonds and shall not be subject to transfer.

Provided further that the tax limitation contained in this section shall not operate to restrict or prevent a school district in the issuance of refunding bonds to pay interest or principal of bonds outstanding on March 31, 1934.

See Section 298.19. Also 76.1, 76.2, 76.3.

Applicable to special charter cities.

297.7. Erection or Repair of Schoolhouse. Before erecting a schoolhouse, the board of directors shall consult with the county superintendent as to the most approved plan for such building, and secure his approval of the plan submitted. Before any one-room schoolhouse shall be erected or repaired at a cost exceeding five hundred dollars, or before any schoolhouse containing more than one room shall be erected or repaired at a cost exceeding one thousand dollars, proposals therefor shall be invited by advertisement published once each week for two consecutive weeks in some newspaper published in the county in which the work is to be done, and the contract shall be let to the lowest responsible bidder but the board may reject any and all bids and advertise for new bids. After any bid is accepted, a written contract shall be entered into, and the contractor shall furnish bonds with sureties for the faithful performance of the contract.

297.8. Emergency Repairs. When emergency repairs costing more than \$1,000 are necessary in order to prevent the closing of any school, the provisions of the act with reference to advertising for bids shall not apply, and in that event the board may contract for such emergency repairs without advertising for bids; provided, however, that before such emergency repairs can be made to any schoolhouse, it shall be necessary to procure a certificate from the county superintendent that

such emergency repairs are necessary to prevent the closing of such school.

298.19. Levy. The board of supervisors of the county to which the certificate is addressed within the contemplation of section 298.18 shall levy the necessary tax to raise the amount estimated, or so much thereof as may be lawful and within the limitation of section 298.18 which levy shall be made as other taxes for school purposes.

298.20. Funding or Refunding Bonds. For the purpose of providing for the payment of any indebtedness of any school corporation represented by judgments or bonds, the board of directors of such school corporation, at any time or times, may provide by resolution for the issuance of bonds of such school corporation, to be known as funding or refunding bonds. The proceeds derived from the negotiation of such funding or refunding bonds shall be applied in payment of such indebtedness; or said funding bonds or refunding bonds may be issued in exchange for the evidences of such indebtedness, par for par.

Judgment Tax

298.15. Payment of Judgment. When a judgment shall be obtained against a school corporation, its board shall order the payment thereof out of the proper fund by an order on the treasurer, not in excess, however, of the funds available for that purpose.

298.16. Judgment Tax. If the proper fund is not sufficient, then, unless its board has provided by the issuance of bonds for raising the amount necessary to pay such judgment, the voters thereof shall at their regular election vote a sufficient tax for the purpose.

298.17. Judgment Levy. In case of failure or neglect to vote such tax, the school board shall certify the amount required to the board of supervisors, who shall levy a tax on the property of the corporation for the same.

Indebtedness

296.1. Indebtedness Authorized. Any school corporation shall be allowed to become indebted for the purpose of building and furnishing a schoolhouse or schoolhouses and additions thereto, gymnasium, teachers' or superintendent's home or homes, and procuring a site or sites therefor, or for the purpose of purchasing land to add to a site already owned, to an amount not to exceed in the aggregate, including all other indebtedness, 5 percent of the assessed value of the taxable property within such school corporation, such value

to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section 407.1 to the contrary notwithstanding.

Limitation on indebtedness, §407.1, 407.2.

296.2. Petition for Election. Before such indebtedness can be contracted in excess of $1\frac{1}{4}$ percent of the assessed value of the taxable property, a petition signed by a number equal to 25 percent of those voting at the last regular school election shall be filed with the president of the board of directors, asking that an election be called, stating the amount of bonds proposed to be issued and the purpose for which the indebtedness is to be created, and that the necessary schoolhouse or schoolhouses cannot be built and equipped, or that sufficient land cannot be purchased to add to a site already owned, within the limit of $1\frac{1}{4}$ percent of the valuation.

Miscellaneous

Chapter 74, Code. Public Warrants Not Paid for Want of Funds. Rate of Interest. Warrants endorsed "Not paid for want of funds" shall draw interest at the rate of four (4) percent per annum but the treasurer may arrange for the sale of such warrants at par at a lower rate of interest.

302.40. Permanent School Fund. Rate of interest is 3 percent per annum charged to each county by the state.

302.21. Counties shall loan the funds at not less than $3\frac{1}{2}$ percent per annum.

302.20. Permanent School Fund. Investment in Bonds and Other Securities. The board of supervisors may also invest such funds in bonds of the United States, bearing an annual yield; in such case the state can charge the county only with the amount of interest received. Said bonds shall be registered in the name of the county purchasing the same.

Authorization and Sale of Public Bonds

75.1. Bonds—Election—Vote Required. When a proposition to authorize an issuance of bonds by a county, township, school district, city or town, or by any local board or commission, is submitted to the electors, such proposition shall not be deemed carried or adopted, anything in the statutes to the contrary notwithstanding, unless the vote in favor of such authorization is equal to at least 60 percent of the total vote cast for and against said proposition at such election.

75.2. Notice of Sale. When public bonds are offered for sale, the official or officials in charge of such bond issue shall,

by advertisement published for two or more successive weeks in at least one official newspaper of the county, give notice of the time and place of sale of said bonds, the amount to be offered for sale, and any further information which may be deemed pertinent.

75.3. Sealed and Open Bids. Sealed bids may be received at any time prior to the calling for open bids. After the sealed bids are all filed, the official or officials shall call for open bids. After all of the open bids have been received the substance of the best open bid shall be noted in the minutes. The official or officials shall then open any sealed bids that may have been filed and they shall note in the minutes the substance of the best sealed bid.

75.4. Rejection of Bids. Any or all bids may be rejected, and the sale may be advertised anew, in the same manner, or the bonds or any portion thereof may thereafter be sold at private sale to any one or more of such bidders, or other persons, by popular subscription or otherwise. In case of private sales, the said bonds shall be sold upon terms not less favorable to the public than the most favorable bid made by a bona fide and responsible bidder at the last advertised sale.

75.5. Selling Price. No public bond shall be sold for less than par, plus accrued interest.

75.6. Commission and Expense. No commission shall be paid, directly or indirectly, in connection with the sale of a public bond. No expense shall be contracted or paid in connection with such sale other than the expense incurred in advertising such bonds for sale.

407.1. Limitation. No county or other political or municipal corporation shall become indebted in any manner for its general or ordinary purposes to an amount exceeding in the aggregate $1\frac{1}{4}$ percent of the assessed value of the taxable property within such corporation. The value of such property shall be ascertained by the last tax list previous to the incurring of the indebtedness. Indebtedness heretofore or hereafter incurred by a county for poor relief purposes shall not be construed or regarded as having been incurred for its general or ordinary purposes insofar as said indebtedness may be incurred solely for poor relief purposes.

Applicable to special charter cities of less than 2,000, §420.104. Constitutional limitation, Article XI, §3.

407.2. Limitation. No county, or other political or municipal corporation, shall become indebted in any manner, or for any purpose to an amount, in the aggregate, exceeding 5 percent of the assessed value of the property within such

county or corporation, to be ascertained by the last state and county tax lists previous to the incurring of such indebtedness.

Maturity and Payment of Bonds

76.1. Mandatory Retirement. Hereafter issues of bonds of every kind and character by counties, cities, towns, and school districts shall be consecutively numbered. The annual levy shall be sufficient to pay the interest and approximately such portion of the principal of the bonds as will retire them in a period not exceeding 20 years from date of issue. Each issue of bonds shall be scheduled to mature serially in the same order as numbered.

76.2. Mandatory Levy. The governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in such public corporation sufficient to pay the interest and principal of such bonds within a period named not exceeding 20 years. A certified copy of this resolution shall be filed with the county auditor or auditors of the counties, as the case may be, in which such public corporation is located and the filing thereof shall make it a duty of such officer or officers to enter annually this levy for collection until funds are realized to pay the bonds in full.

76.3. Tax Limitations. Tax limitations in any law for the issuance of bonds shall be based on the latest equalized assessed valuation then existing and shall only restrict the amount of bonds which may be issued.

76.4. Permissive Application of Funds. Whenever the governing authority of such political subdivision shall have on hand funds derived from any other source than taxation which may be appropriated to the payment either of interest or principal, or both principal and interest, of such bonds such funds may be so appropriated and used and the levy for the payment of the bonds correspondingly reduced.

76.5. Exceptions. The provisions of this chapter shall not apply to bonds, the interest or principal of which are payable out of the primary road fund or out of special assessments against benefited property.

76.6. Place of Payment. The principal and interest of all bonds of any public body in this state, issued subsequent to this act becoming effective, (45ExGA, ch 15, effective March 23, 1934) shall be payable at the office of the treasurer or public official charged with the duty of making payment.

Extension or Renewal of Bonds

76.7. Particular Bonds Affected—Payment. Counties, cities, towns, and school corporations may at any time or times extend or renew any legal indebtedness or any part thereof they may have represented by bonds or certificates where such indebtedness is payable from a limited annual tax or from a voted annual tax, and may by resolution fund or refund the same and issue bonds therefor running not more than 20 years to be known as funding or refunding bonds, and make provision for the payment of the principal and interest thereof from the proceeds of an annual tax for the period covered by such bonds similar to the tax authorized by law or by the electors for the payment of the indebtedness so extended or renewed.

Referred to in §76.9.

76.8. Laws Applicable. All laws relating to the issuance of funding or refunding bonds by counties, cities, towns, and school corporations, as the case may be, not inconsistent with the provisions herein contained and to the extent the same may be applicable, shall govern the issuance of the funding and refunding bonds for the purpose herein authorized.

Referred to in §76.9.

76.9. No Limit of Former Power. Sections 76.7 and 76.8 shall be construed as granting additional power without limiting the power already existing in counties, cities, towns, and school corporations.

Sample Budgets

Below will be found some sample budgets taken from the office files which may be helpful in arranging your budget. The principle is the same whether the local taxing district be large or small and the same care should be used in the preparation of the budget.

Budget Estimate and Record of Filing COUNTY ESTIMATE

NOTICE—The board of supervisors of _____ County, Iowa, will meet _____, 19____, at _____ M., at _____. Taxpayers will be heard for or against the following estimate of expenditures for the fiscal year beginning January 1, 19____.

County Auditor.

FUNDS	1		3	4	5	6
	Expenditures for Year		Proposed	Estimated	Estimated	Amount
	For Year	For Year	Expendi- tures Estimated	Unencum- bered Balance Jan. 1, 19____	Income Other Than Taxation 19____	Necessary to be raised by Taxation 19____
General	\$ 59,671	\$ 57,794	\$ 65,000	\$ 13,500	\$ 20,000	\$ 31,500
Court Expense	6,937	5,946	10,000	2,500	0	7,500
Poor	29,794	24,360	40,000	16,750	2,500	20,750
State Insane	7,667	8,331	17,000	2,000	2,000	13,000
County Insane	4,581	0	0	0	0	0
County School	8,675	9,484	10,000	1,250	3,500	5,250
Soldiers' Relief	4,900	2,950	6,500	1,250	0	5,250
Bovine Tuberculosis	1,181	2,868	5,000	5,000	0	0
County Bonds and Interest	134,726	32,592	32,000	32,000	0	0
Emergency	20,000	15,000	20,000	5,000	0	15,000
Bang's Disease Eradication	236	730	5,000	5,000	0	0
Special Secondary Road Constr.	0	1,376	50,000	15,000	35,000	0
Secondary Road Funds:						
A. Const. ½ mill (309.6)	77,293	75,124	85,000	10,000	64,900	10,100
B. Const. ⅜ mill (309.7)	0	0	0	0	0	0
C. Maint. 2 mills (309.11)	80,151	90,003	47,000	16,000	5,000	26,000
D. Maint. 5 mills (309.11)	0	0	48,000	0	0	48,000
Construction or Maintenance:						
E. Optional ⅝ mill (309.14)	12,013	12,500	13,500	500	0	13,000
TOTALS	\$447,825	\$339,038	\$454,000	\$125,750	\$132,900	\$195,350

_____, Secretary of _____ Township, _____ County, Iowa, do hereby certify, that at a meeting of the Board of Directors of said school district, held as provided by law on the _____ day of _____, 19_____, the following budget was adopted and tax levy voted for the year 19_____ on all of the taxable property of said school district; that said estimates and levies were made after public hearing as provided by law.

FUNDS	1	2	3	4	5	6	7	8
	Expenditures for Year		Proposed Expendi- tures de- cided at hearing 19___-19__	Estimated Unencum- bered Balance to apply upon this budget	Estimated Income other than Taxation 19___-19__	Amount Necessary to be raised by Taxation 19___-19__	Taxes finally entered by Auditor	No. of Mills
	19___-19__	19___-19__						
General								
Transportation								
Library								
Tuition								
Total—General Fund								
Playground								
Pension								
School Site								
School House (Voted)								
Bonds and Interest								
Total—All Purposes								

	Expenditures for Year		Proposed Expendi- tures 19__-19__
	19__-19__	19__-19__	
1. General Control			
2. Instruction			
3. Auxiliary Agencies			
4. Co-ord. Activities			
5. Operation of Plant			
6. Maint. of Plant			
7. Fixed Charges			
8. Capital Outlay			
9. Debt Service (G.F.)			
10.			
TOTALS Same as General Fund above			

	Receipts Other Than Taxation	Estimated Receipts
	19____-19____	19____-19____
Tuition.....		
State and Federal Aid.....		
Semi-annual Appor't.....		
Transfers.....		
Other Receipts.....		
TOTALS (Last col.		
to col. 5 above)		

**Budget Estimate and Record of Filing
School Township or Rural Independent District
ESTIMATE**

NOTICE—The Board of Directors of _____
(School District)

(Township) _____ County, Iowa,

will meet _____, 19____, at _____ M., at _____
Taxpayers will be heard for or against the following estimate of expenditures at that time.

District Secretary.

FUNDS	1	2	3	4	5	6
	Expenditures for Year		Proposed	Estimated	Estimated	Amount
	July 1, 19____ to June 30, 19____	July 1, 19____ to June 30, 19____	Expendi- tures Estimated 19____-19____	Unencum- bered Bal. to Apply Upon This Budget	Income Other Than Taxation	Necessary to be raised by Taxation
General (Sec. 298.1, Code)	\$ 871	\$ 893	\$1,090	\$1,765	\$ 183	\$1,547
Tuition (Sec. 298.1)	1,632	1,390	1,820	-----	-----	-----
Transportation (Sec. 298.4)	467	546	545	-----	-----	-----
Text Books (Sec. 301.4)	44	37	40	-----	-----	-----
TOTALS	\$3,015	\$2,867	\$3,495	\$1,765	\$ 183	\$1,547

Secretary's Balance July 1, 19____,

Number of persons of school age.....
Taxable valuation, 19____ \$446,669

1. GENERAL FUND	\$7,280	
2. Less Unpaid Bills	\$ 169	
3. Less Unpaid Tuition	1,923	
4. Less Balance Reserved	3,423	5,515
Net Unencumbered Balance (G.F.)	*\$1,765	

*Amount left after deducting Items 2, 3 and 4 from Item 1, and to be transferred to Column 4 above.

Other school levies should be shown in like manner, following the totals of the general fund.

The above is a sample of a rural school budget showing a balance on hand in excess of two years requirements. While it is optional whether a school district declares any of their balance "unencumbered" subject to deduction from proposed expenditures it would not appear good policy for any district to maintain a working balance in excess of fifty percent (50%) of estimated requirements shown in the budget.

BUDGET APPEAL LAW**Chapter 24, Code 1946**

24.25. State Appeal Board. There is hereby created to administer this act, (47GA. ch. 91), a state board to be known as the state appeal board, which state board shall consist of the

- (a) Comptroller,
- (b) Auditor of State, and
- (c) Treasurer of State,

each of whom shall personally serve as a member of the state board during his tenure of office. At its first meeting, which shall be held within 30 days after this act goes into effect, and at each annual meeting held thereafter, the state board shall organize by the election, from their own number, of a chairman and a vice-chairman; and by appointing a secretary. Two members of the state board shall constitute a quorum for the transaction of any business. The state board may, from time to time, as such services are required, appoint one or more competent and specially qualified persons as deputies, to appear and act for it at initial hearings as hereinafter provided. The annual meeting of the state board shall be held on the second Tuesday of January in each year. Each deputy appointed by the state board shall be entitled to receive the amount of his traveling and other necessary expenses actually incurred while engaged in the performance of his official duties as hereinafter set out. Such expenses to be audited and approved by the state board and proper receipts filed therefor.

24.26. Protest to Budget. Not later than the first Tuesday in September, a number of persons in any municipality equal to $\frac{1}{4}$ of 1 percent of those voting for the office of governor at the last general election in said municipality, but in no event less than 10, who are affected by any proposed budget, expenditure or tax levy, or by any item thereof, may appeal from any decision of the certifying board or the levying board, as the case may be, by filing with the county auditor of the county in which such municipal corporation is located, a written protest setting forth their objections to such budget, expenditure or tax levy, or to one or more items thereof, and the grounds for such objections; provided that at least three of such persons shall have appeared and made objection, either general or specific, as provided by section 24.11 of the Code. Upon the filing of any such protest, the county auditor shall immediately prepare a true and complete copy of said written protest, together with the budget, proposed tax levy or expenditure to which objections are made, and shall transmit the same forthwith to the state board, and shall also send a copy of such protest to the certifying board or to the levying board, as the case may be.

24.27. Hearing on Protest. The state board, within a reasonable time, shall fix a date for an initial hearing on such protest and shall designate a deputy to hold such hearing, which shall be held in the county or in one of the counties in which such municipality is located. Notice of the time and place of such hearing shall be given by registered mail to the chief executive officer of the municipality and to the first ten property owners whose names appear upon such protest, at least 5 days before the date fixed for such hearing. At all such hearings, the burden shall be upon the objectors with reference to any proposed item in the budget which was included in the budget of the previous year and which such objectors propose should be reduced or excluded; but the burden shall be upon the certifying board or the levying board, as the case may be, to show that any new item in the budget, or any increase in any item thereof, is necessary, reasonable and in the interests of the public welfare.

24.28. Appeal. The deputy designated to hear any particular appeal shall attend in person and conduct such hearing in accordance with the procedure prescribed in section 24.27, and shall promptly report the proceedings had at such hearing, which report shall become a part of the permanent record of the state board. At the request of either party, or on his own motion, the deputy shall employ a stenographer to report the proceedings, in which event the stenographic notes shall be filed with the report. Either party desiring to have a transcript of such notes presented to the state board with the deputy's report, may have the same made at his initial expense, such expense to eventually follow the result.

24.29. Review By and Powers of Board. It shall be the duty of the state board to review and finally pass upon all proposed budget expenditures, tax levies and tax assessments from which appeal is taken and it shall have power and authority to approve, disapprove or reduce all such proposed budgets, expenditures, and tax levies so submitted to it upon appeal, as herein provided; but in no event may it increase such budget, expenditure, tax levies or assessments or any item contained therein. Said state board shall have authority to adopt rules and regulations not inconsistent with the provisions of this chapter, to employ necessary assistants, authorize such expenditures, require such reports, make such investigations and take such other action as it deems necessary to promptly hear and determine all such appeals; provided, however, that all persons so employed shall be selected from persons then regularly employed in some one of the offices of the members of said state board.

24.30. Rules of Procedure—Record. The manner in which objections shall be presented, and the conduct of hearings and appeals, shall be simple and informal and in accordance with the rules prescribed by the state board for promptly determining the merits of all objections so filed, whether or not such rules conform to technical rules of procedure. Such record shall be kept of all proceedings, as the rules of the state board shall require.

24.31. Decision Certified to County. After a hearing upon such appeal, the state board shall certify its decision with respect thereto to the county auditor, and such decision shall be final. The county auditor shall make up his records in accordance with such decision and the levying board shall make its levy in accordance therewith. Upon receipt of such decision, the county auditor shall immediately notify both parties thereof, whereupon the certifying board shall correct its records accordingly, if necessary. Final disposition of all such appeals shall be made by the state board on or before October 15th of each year.

Explanatory Information Regarding Budget Appeals

Taxpayers. The Budget Appeal Law passed by the Forty-seventh General Assembly amended the local budget law and created a state board of appeal composed of the State Comptroller, State Auditor and State Treasurer. This law provides that not less than 10 taxpayers for a taxing district who are affected by a proposed budget and tax levy, at least 3 of whom appeared at the regular budget hearing and made objections, may appeal from the decision of the local board within a certain time to the state board of appeal. The time of appeal is limited to not later than the first Tuesday in September. After that time no appeal can be made to the state board.

There are no official forms for filing an appeal. The required number of appellants may file their protest with the county auditor in writing setting out the reasons why they object to the proposed budget and why certain expenditures and taxes should be reduced or eliminated. It is suggested that the written protest be filed in duplicate.

Local Boards. The above budget appeal law does not necessarily mean there will be an appeal but the law is enacted to protect the taxpayer from increased or exorbitant taxes. Local boards will prepare their estimate of expenditures and tax levies carefully and be prepared to explain to any interested taxpayer the reason or justification for each and every item in the proposed budget. In almost every instance an appeal can be avoided if the local board and taxpayers will cooperate

in adjusting matters locally. Seek the advice of your county auditor and county attorney.

County Auditor. Section 24.26 of the budget law permits the filing of an appeal with the county auditor not later than the first Tuesday in September. Appeals may be filed any time after the hearing held by the local board as stated in Section 24.11 of the Code and up to the close of business on the first Tuesday in September. All budget hearings should be held in time to certify the budget to the county auditor by August 15. In case of an appeal the county auditor will prepare a true and complete copy of the written protest filed with him and forward it at once, together with a copy of the budget in question to the State Board of Appeal, care of State Comptroller, State House, Des Moines, Iowa. The written protest should cover all the main points to which objections have been made and should be signed by the requisite number of objectors.

PUBLIC CONTRACTS AND BONDS

Chapter 23, Code 1946

23.1. Terms Defined. The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for in whole or in part by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for secondary road improvements, city, including those acting under special charter, town, township, school district, state fair board, state board of education, and state board of control.

The words "appeal board" as used in this chapter shall mean the "State Appeal Board," composed of the Auditor of State, Treasurer of State and State Comptroller.

23.2. Notice of Hearing. Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least 10 days before said hearing.

23.3. Objections—Hearing—Decision. At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of, such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and

any evidence for or against the same, and forthwith enter of record its decision thereon.

23.4. Appeal. Interested objectors in any municipality equal in number to one-fourth of one percent of those voting for the office of governor at the last general election in said municipality, but in no event less than ten, may appeal from the decision to the Appeal Board by serving notice thereof on the clerk or secretary of such municipality within ten days after such decision is entered of record.

The notice shall be in writing and shall set forth the objections to such decision and the grounds for such objections; provided that at least three of the persons signing said notice shall have appeared at the hearing and made objection, either general or specific, to the adoption of the proposed plans, specifications or contract for, or cost of, such improvement.

23.5. Information Certified to Appeal Board. In case an appeal is taken, such body shall forthwith certify and submit to the Appeal Board for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and cost of supervision.
7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
8. A statement of the several rates of levy of taxes in such municipality for each fund.
9. A detailed statement of the bonded and other indebtedness of such municipality.
10. In case of state institutions and state fair board, the last three requirements may be omitted.

23.6. Notice of Hearing on Appeal. The appeal board shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five persons whose names appear upon the notice of appeal, at least ten days before the date fixed for such hearing.

The hearing on contracts for the State Institutions and State Fair Board shall be at the seat of government.

23.7. Hearing and Decision. At such hearing, the appellants and any other interested person may appear and be heard. The appeal board shall examine, with the aid of competent assistants, the entire record, and if it shall find that the form of contract is suitable for the improvement proposed, that the improvement and the method of providing for payment therefor is for the best interests of the municipality and the taxpayers therein, and that such improvements can be made within the estimates therefor, it shall approve the same. Otherwise, it may reject the same as a whole or, it shall recommend such modifications of the plans, specifications, or contract, as in its judgment shall be for the public benefit, and if such modifications are so made, it shall approve the same.

The appeal board shall certify its decision to the body proposing to enter into such contract unless it shall have rejected the same as a whole, whereupon the municipality shall advertise for bids and let the contract subject to the approval of the appeal board which shall at once render its final decision thereon and transmit the same to the municipality.

23.8. Enforcement of Performance. After any contract for any public improvement has been completed and any five persons interested request it, the appeal board shall examine into the matter as to whether or not the contract has been performed in accordance with its terms, and if on such investigation it finds that said contract has not been so performed, and so reports to the body letting such contract, it shall at once institute proceedings on the contractor's bond for the purpose of compelling compliance with the contract in all of its provisions.

23.9. Nonapproved Contracts Void. If an appeal is taken, no contract for public improvements shall be valid unless the same is finally approved by the appeal board. In no case shall any municipality expend for any public improvement any sum in excess of 5 percent more than the contract price without the approval of the appeal board.

23.10. Witness Fees—Costs. Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Costs of hearings and appeals shall be paid by the municipality.

23.11. Report on Completion. Upon the completion of the improvement the executive officer or governing board of the municipality shall file with the appeal board a verified report showing:

1. The location and character of the improvement.
2. The total contract price for the completed improvement.

3. The total actual cost of the completed improvement.
4. By whom, if anyone, the construction was supervised.
5. By whom final inspection was made.
6. Whether or not the improvement complies with its contract, plans and specifications.
7. Any failure of the contractor to comply with the plans and specifications.

23.12. Issuance of Bonds—Notice. Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least 10 days before the meeting at which it is proposed to issue such bonds.

23.13. Objections. At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five or more taxpayers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

23.14. Notice of Hearing. Upon the filing of any such petition, the clerk or secretary of such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the appeal board, and upon receipt of such certificate, petition and information, it shall fix a time and place for the hearing of such matter, which shall be not less than ten nor more than thirty days thereafter. Said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the appeal board. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five persons whose names first appear on the petition at least ten days before the date of such hearing.

23.15. Decision. The appeal board shall determine the matters involved in such appeal and its decision shall be final, unless either party, within thirty days from the making of such decision, gives notice to the other party of an appeal to the District Court from such decision. Its decision shall be certified to the executive officer of the municipality affected.

In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebted-

ness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount.

In case of an appeal, the municipality may issue such bonds or other evidence of indebtedness in accordance with the decision of the appeal board.

23.16. Bonds and Taxes Void. Any bonds or other evidence of indebtedness issued contrary to the provisions of this chapter, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon, shall be null and void.

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