



*The 1950 Census*

... ITS EFFECTS ON  
GOVERNMENT IN IOWA

INSTITUTE OF PUBLIC AFFAIRS  
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INSTITUTE OF PUBLIC AFFAIRS  
STATE UNIVERSITY OF IOWA

IOWA CITY : 1950



# *Foreword*

The results of the 1950 census are of great importance to every public official in the state of Iowa. These findings may determine his salary; the size of his constituency if he is an elective officer; the need for new ordinances and legislative acts required by law on the basis of population shifts; tax rates, and public expenditures. The extent of state aid to municipalities is in some measure determined by population and the amounts of federal grants to the states are determined to some extent by population. In this booklet dealing with the effects of the 1950 census, Professor Dean Zenor has brought together the latest reports of the 1950 census and has described ways in which these will affect many aspects of government in Iowa based upon a count of the people served.

Professor Jack T. Johnson of the University's department of political science suggested that the project be undertaken. We acknowledge not only his fine suggestion, but we are also deeply in his debt for the many splendid comments he made as he read copy and proof in the various stages of publication. We wish also to thank the mayors of Iowa communities, the chairmen of the county boards of supervisors and county auditors who sent us unofficial census reports. The census supervisors in Iowa, the area census supervisor in St. Paul and the United States Bureau of the Census in Washington all cooperated to the end that we might be provided with the latest unofficial figures in time to prepare this study and release it to officials in this state almost simultaneously with the Washington release of the figures themselves.

The latest preliminary count of populations of Iowa communities over 1,000 in population are listed in the appendix of this booklet. In accordance with local policy only five of Iowa's nine census districts released figures for all incorporated places. Thus it was decided to include only such preliminary figures as were provided by the United States Bureau of the Census, September 1, 1950 (Series PC-2, No. 30).

Although these preliminary figures are not the final verified population totals, they will vary but little from the final figures. Ac-

ording to the census bureau, "The final population totals may differ from the preliminary counts because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels located within an area but not included in the preliminary count, and because of other revisions." These minor changes will not be available for another several months.

Created to act as a service link between the University and the administrative, legislative and law enforcement officials of the state of Iowa, the Institute will welcome any inquiry that may arise as this booklet is put to use. Such inquiries, requests that research be undertaken in other matters and requests for other services made by Iowa's public officials will be given our prompt attention.

ROBERT F. RAY, *Director*  
Institute of Public Affairs  
State University of Iowa

Iowa City  
September, 1950



# *The 1950 Census*

Every 10 years since 1790 the population of the United States has been enumerated by the United States Bureau of the Census, as required by the Constitution of the United States. Since 1840 Iowa has been included in this enumeration as a separate unit. The Iowa Constitution of 1857 also provided for a state census to be taken in 1859, 1863, 1865, 1867, 1869, 1875 and every 10 years thereafter. In 1933, however, a movement to abandon the state census was begun, and by constitutional amendment in 1936 the provision for a state enumeration was repealed. The last state census was taken in 1925. Prior to abandonment of the state census, population figures in Iowa were available every five years—the national enumeration in years ending in “0” and the state enumeration in years ending in “5”.

Although the last state census was taken in 1925, it was not until 1943 that section 4.1(26) of the Code was amended to make the national census the sole basis for many functions of government in Iowa. That section of the Code of Iowa now directs that “The word ‘population’, where used in this code or any statute hereafter passed, shall be taken to be that as shown by the last preceding national census, unless otherwise specially provided.” The population figures provided by the United States Bureau of the Census will become effective in Iowa upon publication by the secretary of state in two daily newspapers of general circulation. (Sec. 26.3) Inasmuch as official figures from Washington probably will not be released before December, 1950, it would appear that the many sections of the Code of Iowa which are based upon population would not be affected until after January 1, 1951.

## METHOD OF COUNTING

In April of 1950 the seventeenth decennial enumeration of the United States was begun. The usual practice of the census bureau, dating from 1790, is to count each person as an inhabitant of his usual place of residence or usual place of abode—in other words, the place where he lives and sleeps most of the time. This is not necessarily the same as his legal residence, voting residence or domicile, although in many cases these would be the same.

A major problem of the census bureau has been the handling of persons who have concurrent residence in two different places. So that such persons may be enumerated in a uniform manner they have generally been considered to be usual residents of the households in which they live in the area where they work. Thus if a person works in one community but maintains a home elsewhere but is there physically only on weekends or less frequently, it has been the customary practice to count such a person as a usual resident of the community in which he sleeps more than half the week. Although inmates of prisons and patients in mental hospitals and other institutions have homes from which they came and to which they presumably will return, traditionally they have been counted as usual residents of the institution and so as residents of the community in which the institution is located. Similarly members of the armed forces have been enumerated as inhabitants of the community in which they are stationed. In the past the one important exception to this rule has been in the enumeration of college students.

For the 1950 census, the bureau of the census changed its policy on college students to conform with its treatment of the inmates of institutions and the armed forces. It issued these instructions to enumerators:

A student who is away from home attending a school at college level is considered a resident of the ED [enumeration district] in which he lives while attending college and not of the ED in which his home is located. Enumerate him on the Population Schedule at the place where he lives while attending college, even if he is home on vacation at the time of enumeration.

In Iowa this change is not expected to affect the state-wide population figure in any great degree. It appears that Iowa will about break even in the counting of college students. The latest statistics available on migration of college students were compiled in 1945. In that year 5,062 students from other states were enrolled in educational institutions in Iowa and 6,602 Iowans were attending colleges and universities outside the state.<sup>1</sup> If this same proportion has continued, the net loss to the entire state would be slight. However, the effects on particular municipalities and counties in which large educational institutions exist are substantial and are discussed later in this publication.

It should be emphasized also, as stated above, that the place where a person lives and sleeps most of the time is not necessarily

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<sup>1</sup>U. S. Office of Education, *Residence and Migration of College Students*, Pamphlet No. 98, 1945.



his legal residence, voting residence or domicile. Thus while the policy change on enumeration of college students has undoubtedly increased the populations of college towns and the counties in which they are located, it would appear to have no bearing on voting or tuition charged non-residents by institutions under the State Board of Education.

#### PRELIMINARY POPULATION REPORTS

The 1950 enumeration is expected to show a total continental United States population of more than 150,000,000.<sup>1</sup> The bureau of the census also estimated an Iowa population of 2,643,000. Preliminary and unofficial figures for the state, however, indicate a total of 2,612,598—a gain of 74,330, or 2.9 percent. To this figure will be added the transients away from home on April 5, 1950, and members of the armed forces outside the continental limits of the United States.

Table 1 below shows the growth of Iowa since 1840 compared with national averages. While in the early stages of its settlement

**TABLE 1**  
POPULATION INCREASE IN IOWA COMPARED WITH UNITED STATES  
INCREASE BY PERCENTAGES, 1840-1950

YEAR	IOWA POPULATION	INCREASE	PERCENT INCREASE	
			IOWA	UNITED STATES
1840	43,112			32.7
1850	192,214	149,699	345.8	35.9
1860	674,913	482,699	251.1	35.6
1870	1,194,020	519,107	76.9	22.6
1880	1,624,615	430,595	36.1	30.1
1890	1,912,297	287,682	17.7	25.5
1900	2,231,853	319,556	16.7	20.7
1910	2,224,771	- 7,082	- 0.3	21.0
1920	2,404,021	179,250	8.1	14.9
1930	2,470,939	66,918	2.8	16.1
1940	2,538,268	67,329	2.7	7.2
1950	2,612,598*	74,330	2.9	12.4**

\*Preliminary report

\*\*Estimated as of July 1, 1949

Iowa was considerably ahead of the nation as a whole in population growth, since 1890 it has lagged behind and since 1920 the growth has been almost insignificant.

#### RURAL-URBAN RATIO

Of the more than two and one-half million inhabitants of Iowa, the majority live in areas classified as rural by the bureau of the

<sup>1</sup>U.S. Bureau of the Census, *Current Population Reports*, Series P-25, No. 34, December 23, 1949.



census. In 1940, 57.3 percent of the population lived in rural areas (all incorporated places of less than 2,500 inhabitants were included in this classification), and 42.7 percent lived in urban centers. For the United States as a whole this ratio was about reversed, with 56.5 percent of the population centered in urban areas and 43.5 percent in rural areas.

In 1948 the bureau of the census estimated that the trend toward urbanization throughout the United States was continuing and that

TABLE 2  
RURAL-URBAN POPULATION DISTRIBUTION IN IOWA, 1890-1940

YEAR	POPULATION	RURAL	PERCENT	URBAN	PERCENT
1890	1,912,297	1,506,533	78.8	405,764	21.2
1900	2,231,853	1,659,467	74.4	572,386	25.6
1910	2,224,771	1,544,717	69.4	680,054	30.6
1920	2,404,021	1,528,526	63.6	875,495	36.4
1930	2,470,939	1,491,647	60.4	979,292	39.6
1940	2,538,268	1,454,037	57.3	1,084,231	42.7
1950*	2,612,598	1,388,033	53.1	1,224,565	46.9

\*Preliminary report

in that year 58.4 percent of the people lived in urban places and 41.6 percent in rural areas. In announcing these figures, however, the census bureau cautioned that the actual urban increase probably was understated inasmuch as the urban figures for 1948 related for the most part to areas classified as urban in 1940. Thus the gain which would be noted by the passage of areas from a rural to urban classification was omitted.<sup>1</sup>

For the 1950 census, the bureau of the census has set up a new definition of urban population to include all places of 2,500 or more inhabitants, whether incorporated or unincorporated. In addition, the entire urban fringe surrounding the larger cities (those of 50,000 or more population) is to be classified as urban regardless of the actual population.

The effects of this new definition of urban should be slight in Iowa inasmuch as only five cities (Des Moines, Sioux City, Davenport, Cedar Rapids and Waterloo) have populations of 50,000 or more. However, the continuing trend toward urbanization in Iowa is evidenced by unofficial 1950 population reports. The 1950 rural-urban figures contained in Table 2 include only places of more than 2,500 population.

Figures 1 and 2 indicate the location of cities above 2,500 popula-

<sup>1</sup>U. S. Bureau of the Census, *Current Population Reports*, "Population Characteristics," Series P-23, No. 1, August 5, 1950.

Fig. 1—DISTRIBUTION OF INCORPORATED PLACES OF MORE THAN 2,500  
POPULATION IN 1940, BY COUNTIES

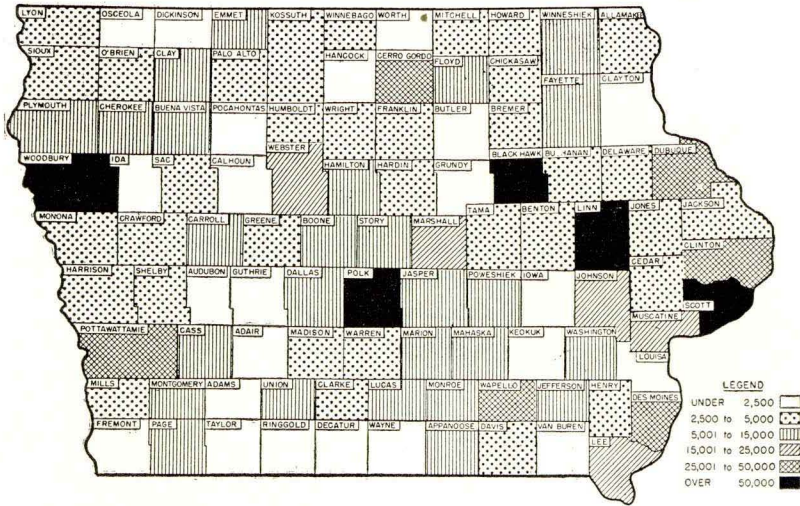
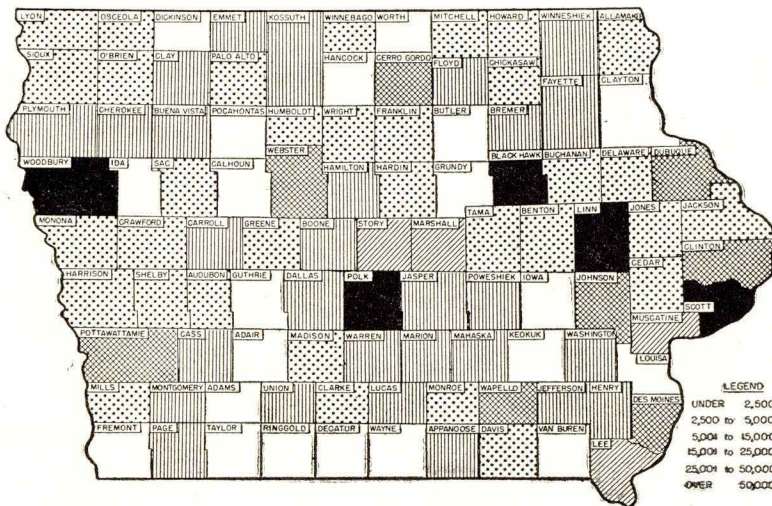


Fig. 2—DISTRIBUTION OF INCORPORATED PLACES OF MORE THAN 2,500  
POPULATION IN 1950, BY COUNTIES



tion, by counties. Where a county contains cities in more than one population group, the shading indicates the population of the largest city. On the basis of the bureau of the census classification of rural areas, in 1940 23 counties were completely rural—that is, no incorporated places of 2,500 or more population were located within their boundaries. By 1950 this number had been reduced to 21 due to increased populations of Sibley in Osceola county and Audubon in Audubon county.



# State Government

In the area of state government the census is important for several reasons. Not only is the membership of both houses of the General Assembly based to some extent on population, but Iowa's representation in the United States House of Representatives is affected by changes in the number of inhabitants of the state. The number of United States Senators is not involved since each state has two senators, regardless of population. Certain federal grants-in-aid are apportioned among the states on the basis of urban and rural ratios and the state of Iowa grants certain funds to the units of local government on the same basis.

## THE GENERAL ASSEMBLY

The legislative authority of the state of Iowa is vested in a bicameral body known as the General Assembly. The two houses of the General Assembly are the Senate, with a membership of 50, and the House of Representatives, composed of 108 members.

Senatorial re-districting and the reapportionment of nine seats in the House of Representatives based upon population must follow each decennial census. "Floating" senatorial or representative districts are expressly forbidden by the Constitution.

*The Senate.*—Article III, section 34, of the Constitution, as amended in 1904 and 1928, established the Iowa Senate as follows:

The Senate shall be composed of fifty members to be elected from the several senatorial districts, established by law and at the next session of the general assembly held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state, according to population as shown by the last preceding census, but no county shall be entitled to more than one (1) senator.<sup>1</sup>

Although the Constitution of 1857 and subsequent amendments have been clear on the subject of reapportionment following each federal census, it is interesting to note that only once since 1886 has the state been re-districted for the purpose of electing state senators.

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<sup>1</sup>The constitutional provision for a state census was repealed in 1936 thus making section 34 dependent solely on the federal census.

In 1941 the 49th General Assembly made changes in the senatorial districts, but only the 23rd, 24th, 47th and 49th districts were involved.

The present districts are given in Table 3 together with the 1940 populations and the unofficial 1950 populations. Figure 3 outlines the boundaries of the senatorial districts established in 1941 by the 49th General Assembly, with population groups variously shaded; Figure 4 indicates the same districts with their 1950 unofficial populations.

The section of the Iowa Constitution which deals with the State Senate states clearly the method by which seats are to be apportioned. Considering the population range of the counties—from 8,745 to 224,920—it is quite apparent that the state cannot be districted strictly according to population when there must be 50 senators and no county may have more than one senator. Only through constitutional revision could an apportionment strictly based on population be provided for.

*House of Representatives.*—The constitutional provision relating to the Iowa House of Representatives is as follows:

Section 35. The House of Representatives shall consist of not more than one hundred and eight members. The ratio of representation shall be determined by dividing the whole number of the population of the state as shown by the last preceding national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided of three-fifths or more of such ratio number shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.

Section 36. The General Assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives, as herein before required.

On this basis each of the 99 counties in the state, regardless of size and population, has one representative. The nine extra representatives are at present assigned to the following counties:

COUNTY	1940 POPULATION
Polk	195,835
Woodbury	103,627
Linn	89,142
Scott	84,748
Black Hawk	79,946
Pottawattamie	66,756
Dubuque	63,768
Clinton	44,722
Wapello	44,280

TABLE 3

SENATORIAL DISTRICTS AS ESTABLISHED BY 49TH GENERAL ASSEMBLY,  
WITH 1940 POPULATION AND 1950 UNOFFICIAL POPULATION

DISTRICT	COUNTIES IN DISTRICT	1940	PERCENT	1950*	PERCENT
		POPULATION	OF STATE TOTAL	POPULATION	OF STATE TOTAL
1	Lee	41,074	1.62	43,002	1.65
2	Jefferson, Van Buren	27,815	1.10	26,439	1.01
3	Appanoose, Davis	35,381	1.39	29,557	1.13
4	Lucas, Wayne	27,879	1.10	23,774	0.91
5	Decatur, Ringgold, Union	41,429	1.63	37,510	1.44
6	Adams, Taylor	24,414	0.96	21,158	0.81
7	Fremont, Page	39,532	1.56	36,187	1.39
8	Mills, Montgomery	30,761	1.21	29,634	1.13
9	Des Moines	36,804	1.45	42,056	1.61
10	Henry, Washington	38,049	1.50	38,208	1.46
11	Clarke, Warren	27,928	1.10	27,090	1.04
12	Keokuk, Poweshiek	37,164	1.46	36,018	1.38
13	Wapello	44,280	1.74	46,744	1.79
14	Mahaska	26,485	1.04	24,609	0.94
15	Marion, Monroe	41,572	1.64	37,668	1.44
16	Adair, Madison	27,721	1.09	25,418	0.97
17	Audubon, Dallas, Guthrie	53,649	2.11	50,389	1.93
18	Cass, Shelby	35,367	1.39	34,436	1.32
19	Pottawattamie	66,756	2.63	69,373	2.66
20	Louisa, Muscatine	42,680	1.68	43,865	1.68
21	Scott	84,748	3.34	99,879	3.82
22	Clinton	44,722	1.76	49,436	1.89
23	Cedar, Jackson, Jones	56,015	2.21	55,766	2.13
24	Lyon, Osceola, Sioux	53,190	2.10	50,980	1.95
25	Iowa, Johnson	50,207	1.98	61,429	2.35
26	Linn	89,142	3.51	103,711	3.97
27	Calhoun, Webster	59,105	2.33	61,008	2.34
28	Marshall	35,406	1.39	35,484	1.36
29	Jasper	31,496	1.24	32,235	1.23
30	Polk	195,835	7.72	224,920	8.61
31	Boone, Story	63,216	2.49	71,636	2.74
32	Woodbury	103,627	4.08	103,959	3.98
33	Buchanan, Delaware	39,478	1.56	39,375	1.51
34	Crawford, Harrison, Monona	61,543	2.42	55,491	2.12
35	Dubuque	63,768	2.51	71,294	2.73
36	Clayton	24,334	0.96	22,490	0.86
37	Hamilton, Hardin, Wright	62,490	2.46	61,484	2.35
38	Black Hawk, Grundy	93,464	3.68	113,263	4.34
39	Bremer, Butler	35,918	1.42	36,171	1.38
40	Allamakee, Fayette	46,335	1.83	44,581	1.71



TABLE 3 *Continued*

DISTRICT	COUNTIES IN DISTRICT	1940 POPULATION	PERCENT	1950*	PERCENT
			OF STATE TOTAL		OF STATE TOTAL
41	Mitchell, Winnebago, Worth	39,542	1.56	38,403	1.47
42	Howard, Winneshiek	35,794	1.41	34,749	1.33
43	Cerro Gordo, Franklin, Hancock	75,626	2.98	77,014	2.95
44	Chickasaw, Floyd	35,396	1.39	36,626	1.40
45	Benton, Tama	45,307	1.78	44,289	1.70
46	Cherokee, Ida, Plymouth	53,807	2.12	53,018	2.03
47	Clay, Dickinson, O'Brien	49,240	1.94	49,735	1.90
48	Carroll, Greene, Sac	57,008	2.25	55,885	2.14
49	Emmet, Kossuth, Palo Alto	56,206	2.21	55,567	2.13
50	Buena Vista, Humboldt, Pocahontas	49,563	1.95	49,585	1.90

\*Source: U. S. Bureau of the Census, *1950 Census of Population*, "Preliminary Counts," Series PC-2, No. 30, September 1, 1950

In 1940, Black Hawk, Cerro Gordo, Clinton, Dubuque, Lee, Linn, Polk, Pottawattamie, Scott, Wapello, Webster and Woodbury counties all had populations in excess of the minimum necessary for an extra representative, but because only nine extra seats are permitted under the constitution, Cerro Gordo, Lee and Webster counties were not granted additional representation.

When the 54th General Assembly meets in January of 1951 it will be faced with the problem of determining which counties shall have the extra representatives for the next 10 years. The ratio of representation is determined by dividing the total population of the state by the number of counties in the state. Then the nine counties which exceed this ratio plus three-fifths of the ratio are accorded the extra seats in the House of Representatives. To illustrate:

$$\begin{array}{r}
 (1940 \text{ Population}) \quad 2,538,268 \div 99 = 25,639 \text{ (ratio)} \\
 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad 15,384 \text{ (three-fifths of ratio)} \\
 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \hline
 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad 41,023
 \end{array}$$

Thus in 1940 it was necessary for a county to have at least 41,023 population in order to receive an extra seat in the House.

On the basis of unofficial 1950 census reports, the minimum population to be eligible for an extra representative is 42,229. It thus seems likely that Polk, Woodbury, Linn, Scott, Black Hawk,

Fig. 3—POPULATION OF IOWA SENATORIAL DISTRICTS, 1940

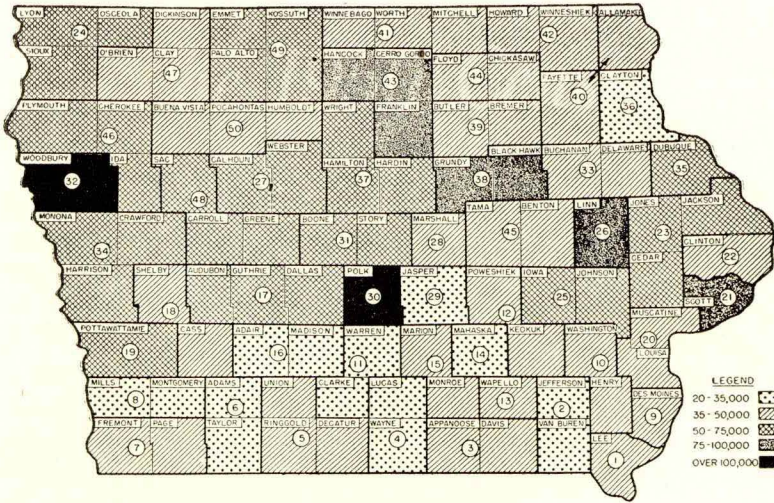
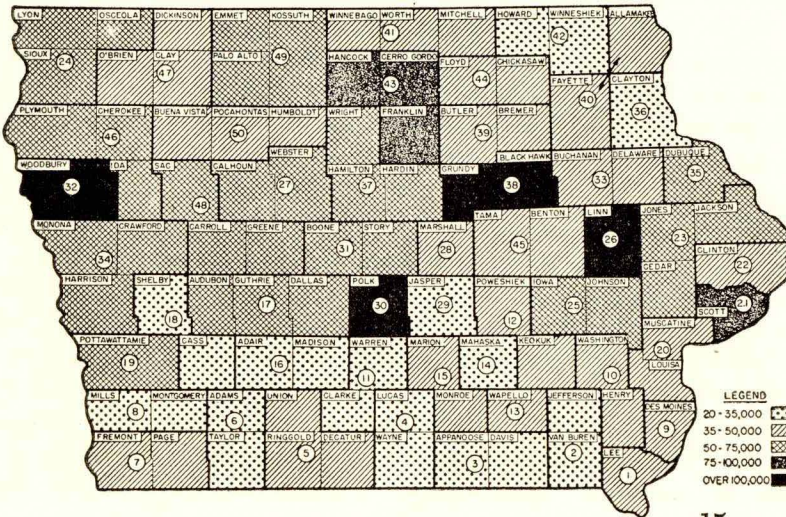


Fig. 4—POPULATION OF IOWA SENATORIAL DISTRICTS, 1950





Dubuque, Pottawattamie, Clinton and Wapello counties will each be awarded one extra representative. Johnson, Cerro Gordo, Webster, Story and Lee counties are also eligible under the formula but are excluded because of the limit on the membership of the House.

#### U. S. HOUSE OF REPRESENTATIVES

The membership of the United States House of Representatives is fixed by law at 435 members, apportioned among the states according to population but with each state entitled to at least one representative. On the basis of the 1940 national census Iowa now has eight seats in the House of Representatives, a loss of one under the preceding decade. In 1920 the Congress failed to reapportion the seats in the House and Iowa continued to elect the 11 representatives which had been allocated in 1882.

The apportionment of the 435 representatives is a function of the United States Congress, while the actual districting of the state is the responsibility of the Iowa General Assembly. In apportioning the seats in the House of Representatives, the method of "equal proportions" is used by the Congress. By this method each seat in the House is given a number and through the application of a mathematical formula the seats are then assigned to the states on the basis of relative populations. Since each state is entitled to at least one representative, the seats apportioned begin with number 49.

In 1940 Iowa was assigned seats 87, 137, 187, 232, 283, 336 and 390 in addition to its constitutional representation of one. If the House had been composed of 439 members rather than 435, Iowa would have had seat 439 for a total of nine representatives.

Until such time as official population returns are compiled for the entire United States it is sheer speculation as to whether Iowa will retain its eight representatives. If the preliminary population reports for 1950 are materially correct, however, Iowa probably will retain its eight representatives in the 1951 reapportionment, but the actual numbers of the seats assigned to the state may show a radical change.

While the Congress does not specify just how the states shall elect their representatives—whether at large or by single member districts—certain federal laws have been enacted in regard to state districting. For instance, if a state's membership in the House is increased, and the state legislature does not increase the number of representative districts, the new member may be elected at large. But if the quota of any state is reduced and the state is not re-districted, then all members may be elected at large. Also, if the state constitution provides the governor with veto power over ordinary legislation, the



TABLE 4  
 REPRESENTATION IN IOWA HOUSE OF REPRESENTATIVES, WITH 1940  
 AND 1950 COUNTY POPULATIONS AND PERCENT OF STATE  
 POPULATION IN EACH REPRESENTATIVE DISTRICT

COUNTY	1940 POPULATION	PERCENT OF STATE TOTAL	1950* POPULATION	PERCENT OF STATE TOTAL
Adair	13,196	0.52	12,266	0.47
Adams	10,156	0.40	8,745	0.33
Allamakee	17,184	0.68	16,353	0.63
Appanoose	24,245	0.96	19,659	0.75
Audubon	11,790	0.46	11,575	0.44
Benton	22,879	0.90	22,643	0.87
Black Hawk**	79,946	3.15	99,580	3.81
Boone	29,782	1.17	27,944	1.07
Bremer	17,932	0.71	18,843	0.72
Buchanan	20,991	0.83	21,666	0.83
Buena Vista	19,838	0.78	21,090	0.81
Butler	17,986	0.71	17,328	0.66
Calhoun	17,584	0.69	16,890	0.65
Carroll	22,770	0.90	22,977	0.88
Cass	18,647	0.73	18,532	0.71
Cedar	16,884	0.67	17,734	0.68
Cerro Gordo	43,845	1.73	45,648	1.75
Cherokee	19,258	0.76	19,031	0.73
Chickasaw	15,227	0.60	15,169	0.58
Clarke	10,233	0.40	9,344	0.36
Clay	17,762	0.70	18,031	0.69
Clayton	24,334	0.96	22,490	0.86
Clinton**	44,722	1.76	49,436	1.89
Crawford	20,538	0.81	19,696	0.75
Dallas	24,649	0.97	23,658	0.91
Davis	11,136	0.44	9,898	0.38
Decatur	14,012	0.55	12,545	0.48
Delaware	18,487	0.73	17,709	0.68
Des Moines	36,804	1.45	42,056	1.61
Dickinson	12,185	0.48	12,746	0.49
Dubuque**	63,768	2.51	71,294	2.73
Emmet	13,406	0.53	14,102	0.54
Fayette	29,151	1.15	28,228	1.08
Floyd	20,169	0.79	21,457	0.82
Franklin	16,379	0.65	16,287	0.62
Fremont	14,645	0.58	12,302	0.47
Greene	16,599	0.65	15,613	0.60
Grundy	13,518	0.53	13,683	0.52
Guthrie	17,210	0.68	15,156	0.58
Hamilton	19,922	0.78	19,659	0.75
Hancock	15,402	0.61	15,079	0.58
Hardin	22,530	0.89	22,189	0.85
Harrison	22,767	0.90	19,508	0.75

TABLE 4 *Continued*

COUNTY	1940 POPULATION	PERCENT OF STATE TOTAL	1950* POPULATION	PERCENT OF STATE TOTAL
Henry	17,994	0.71	18,687	0.72
Howard	13,531	0.53	13,105	0.50
Humboldt	13,459	0.53	13,045	0.50
Ida	11,047	0.44	10,710	0.41
Iowa	17,016	0.67	15,838	0.61
Jackson	19,181	0.76	18,627	0.71
Jasper	31,496	1.24	32,235	1.23
Jefferson	15,762	0.62	15,451	0.59
Johnson	33,191	1.31	45,591	1.75
Jones	19,950	0.79	19,405	0.74
Keokuk	18,406	0.73	16,757	0.64
Kossuth	26,630	1.05	26,181	1.00
Lee	41,074	1.62	43,002	1.65
Linn**	89,142	3.51	103,711	3.97
Louisa	11,384	0.45	10,878	0.42
Lucas	14,571	0.57	12,065	0.46
Lyon	15,374	0.61	14,747	0.56
Madison	14,525	0.57	13,152	0.50
Mahaska	26,485	1.04	24,609	0.94
Marion	27,019	1.06	25,880	0.99
Marshall	35,406	1.39	35,484	1.36
Mills	15,064	0.59	14,040	0.54
Mitchell	14,121	0.56	13,931	0.53
Monona	18,238	0.72	16,287	0.62
Monroe	14,553	0.57	11,788	0.45
Montgomery	15,697	0.62	15,594	0.60
Muscatine	31,296	1.23	32,987	1.26
O'Brien	19,293	0.76	18,958	0.73
Osceola	10,607	0.42	10,158	0.39
Page	24,887	0.98	23,885	0.91
Palo Alto	16,170	0.64	15,284	0.59
Plymouth	23,502	0.93	23,277	0.89
Pocahontas	16,266	0.64	15,450	0.59
Polk**	195,835	7.72	224,920	8.61
Pottawattamie**	66,746	2.63	69,373	2.66
Poweshiek	18,758	0.74	19,261	0.74
Ringgold	11,137	0.44	9,529	0.36
Sac	17,639	0.69	17,295	0.66
Scott**	84,748	3.34	99,879	3.82
Shelby	16,720	0.66	15,904	0.61
Sioux	27,209	1.07	26,075	1.00
Story	33,434	1.32	43,692	1.67
Tama	22,428	0.88	21,646	0.83
Taylor	14,258	0.56	12,413	0.48
Union	16,280	0.64	15,436	0.59

TABLE 4 Continued

TOTAL	1940 POPULATION	PERCENT OF STATE TOTAL COUNTY	1950* POPULATION	PERCENT OF STATE
Van Buren	12,053	0.47	10,988	0.42
Wapello**	44,280	1.74	46,744	1.79
Warren	17,695	0.70	17,746	0.68
Washington	20,055	0.79	19,521	0.75
Wayne	13,308	0.52	11,709	0.45
Webster	41,521	1.64	44,118	1.69
Winnebago	13,972	0.55	13,439	0.51
Winneshiek	22,263	0.88	21,644	0.83
Woodbury**	103,627	4.08	103,959	3.98
Worth	11,449	0.45	11,033	0.42
Wright	20,038	0.79	19,636	0.75

\*Source: U. S. Bureau of the Census, 1950 Census of Population, "Preliminary Counts," Series PC-2, No. 30, September 1, 1950

\*\*Two representatives

governor has the same power over a districting plan enacted by the state legislature. In addition, if a state constitution provides for a referendum on ordinary legislation it can be applied to a districting act of the state legislature.

It has been held by the United States Supreme Court that the question of congressional districting is of a political nature and hence the courts will not interfere with the actions of the state legislatures in such matters.

Fig. 5—IOWA CONGRESSIONAL DISTRICTS

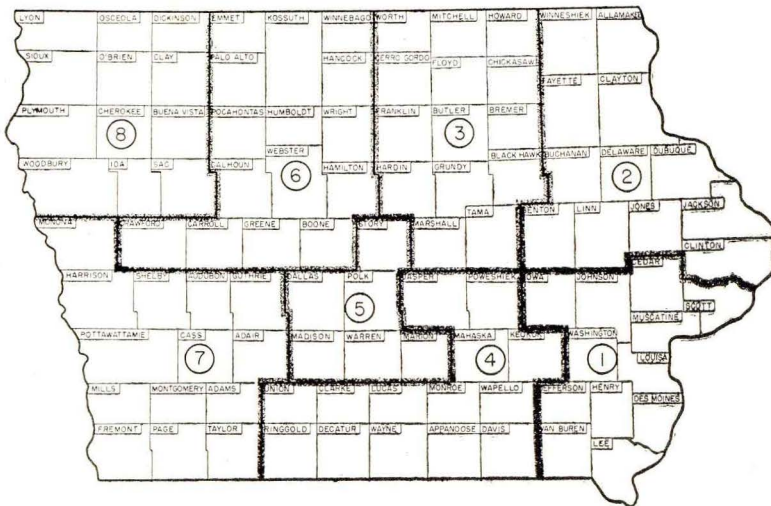




TABLE 5  
IOWA CONGRESSIONAL DISTRICTS

DISTRICT	COUNTIES IN DISTRICT†	1940 POPULATION	1950 POPULATION*
<i>First</i>	Cedar	16,884	17,734
	Des Moines	36,804	42,056
	Henry	17,994	18,687
	Iowa	17,016	15,838
	Jefferson	15,762	15,451
	Johnson	33,191	45,591
	Lee	41,074	43,002
	Louisa	11,384	10,878
	Muscatine	31,296	32,987
	Scott	84,748	99,879
	Van Buren	12,053	10,988
	Washington	20,055	19,521
		-----	-----
		338,261	372,612
<i>Second</i>	Allamakee	17,184	16,353
	Benton	22,879	22,643
	Buchanan	20,991	21,666
	Clayton	24,334	22,490
	Clinton	44,722	49,436
	Delaware	18,487	17,709
	Dubuque	63,768	71,294
	Fayette	29,151	28,228
	Jackson	19,181	18,627
	Jones	19,950	19,405
	Linn	89,142	103,711
	Winneshiek	22,263	21,644
			-----
		392,052	413,206
<i>Third</i>	Black Hawk	79,946	99,580
	Bremer	17,932	18,843
	Butler	17,986	17,328
	Cerro Gordo	43,845	45,648
	Chickasaw	15,227	15,169
	Floyd	20,169	21,457
	Franklin	16,379	16,287
	Grundy	13,518	13,683
	Hardin	22,530	22,189
	Howard	13,531	13,105
	Marshall	35,406	35,484
	Mitchell	14,121	13,931
	Tama	22,428	21,646
	Worth	11,449	11,033
			-----
		344,467	365,383
<i>Fourth</i>	Appanoose	24,245	19,659
	Clarke	10,233	9,344
	Davis	11,136	9,898

TABLE 5 *Continued*

DISTRICT	COUNTIES IN DISTRICT	1940 POPULATION	1950 POPULATION*
	Decatur	14,012	12,545
	Jasper	31,496	32,235
	Keokuk	18,406	16,757
	Lucas	14,571	12,065
	Mahaska	26,485	24,609
	Monroe	14,553	11,788
	Poweshiek	18,758	19,261
	Ringgold	11,137	9,529
	Union	16,280	15,436
	Wapello	44,280	46,744
	Wayne	13,308	11,709
		-----	-----
		268,900	251,579
<i>Fifth</i>	Dallas	24,649	23,658
	Madison	14,525	13,152
	Marion	27,019	25,880
	Polk	195,835	224,920
	Story	33,434	43,692
	Warren	17,695	17,746
		-----	-----
		313,157	349,048
<i>Sixth</i>	Boone	29,782	27,944
	Calhoun	17,584	16,890
	Carroll	22,770	22,977
	Crawford	20,538	19,696
	Emmet	13,406	14,102
	Greene	16,599	15,613
	Hamilton	19,922	19,659
	Hancock	15,402	15,079
	Humboldt	13,459	13,045
	Kossuth	26,630	26,181
	Palo Alto	16,170	15,284
	Pocahontas	16,266	15,450
	Webster	41,521	44,118
	Winnebago	13,972	13,439
	Wright	20,038	19,636
		-----	-----
		304,059	299,113
<i>Seventh</i>	Adair	13,196	12,266
	Adams	10,156	8,745
	Audubon	11,790	11,575
	Cass	18,647	18,532
	Fremont	14,645	12,302
	Guthrie	17,210	15,156
	Harrison	22,767	19,508
	Mills	15,064	14,040
	Monona	18,238	16,287
	Montgomery	15,697	15,594

TABLE 5 *Continued*

DISTRICT	COUNTIES IN DISTRICT	1940 POPULATION	1950 POPULATION*
	Page	24,887	23,885
	Pottawattamie	66,756	69,373
	Shelby	16,720	15,904
	Taylor	14,258	12,413
		-----	-----
		280,031	265,580
<i>Eighth</i>	Buena Vista	19,838	21,090
	Cherokee	19,258	19,031
	Clay	17,762	18,031
	Dickinson	12,185	12,746
	Ida	11,047	10,710
	Lyon	15,374	14,747
	O'Brien	19,293	18,958
	Osceola	10,607	10,158
	Plymouth	23,502	23,277
	Sac	17,639	17,295
	Sioux	27,209	26,075
	Woodbury	103,627	103,959
		-----	-----
		297,341	296,077

\*Source: U. S. Bureau of the Census, *1950 Census of Population*, "Preliminary Counts," Series PC-2, No. 30, September 1, 1950



# *Cities and Towns*

The state of Iowa has not provided for home rule for municipal corporations and as a result almost every phase of municipal government is regulated by state law. A survey of the 63 chapters of the Code of Iowa which deal with cities and towns reveals well over 100 sections which are based on population. These sections cover subjects such as classification of cities and towns, officials and employes, courts, public utilities, elections, police and fire departments, regulatory powers, streets, civil service, pension funds, licenses and permits, parking meters and many phases of taxation. In addition, certain state funds are apportioned among the cities and towns according to population.

The following discussion applies mainly to cities and towns under the mayor-council form of government. However, most of the provisions are applicable also to the four special charter cities and the 15 cities and towns which are now operating under the council-manager system. In some instances special provisions relating to council-manager and special charter cities and towns are discussed separately.

## CLASSES OF CITIES AND TOWNS

There are three classes of municipal corporations in the state of Iowa: first class (those with a population of 15,000 or more); second class (those with a population of 2,000 but less than 15,000); and towns (those with populations of less than 2,000). Town sites platted and unincorporated are known as villages. (Sec. 363.1)

A loss of population, however, does not necessarily mean that a city changes its classification. For instance, a city of the first class may drop to 10,000 population and still retain its former classification. But if it goes below 10,000, it will become a second-class city. Likewise, a second class city may remain in that same category as long as its population does not decrease to less than 1,500. (Sec. 363.2)

Whenever a city or town changes its classification by reason of a population increase or decrease, prior to the next election the council must make and publish all ordinances which are necessary to perfect its organization with regard to elections, duties and com-

pensation of officers. If a town becomes a city, the council must divide the city into wards for the purpose of holding the first election. (Sec. 363.3)

Preliminary and unofficial census figures indicate that Bedford, Madrid and Villisca have dropped below 2,000 but not sufficiently to cause a change in their classifications as cities of the second class. The preliminary census reports also indicate that Greenfield, Lamoni, Mount Vernon and Orange City have increased in size sufficiently to become cities of the second class. Eldon, Mystic, Seymour and Stuart, whose populations once were in excess of 2,000, have now dropped below the 1,500 mark and presumably will hereafter be classified as towns rather than cities of the second class.

Official notification of change in class is made by the Executive Council of Iowa. Within six months of the publication of the census, the Executive Council is required to cause a statement and list of each city or town whose class has been changed to be published in a newspaper at the seat of government and in each of the cities or towns whose classes have changed. (Sec. 363.2)

A survey of the 1950 preliminary and unofficial population figures for cities and towns indicates a very small increase in the majority of small communities and rather sharp increases in many of the larger cities. All the cities of the first class, which in 1940 totaled 710,576 or 28 percent of the entire population, showed increases. With the inclusion of Ames and Fort Madison in this category, and the increase of cities already classified as first class, these cities now account for 818,324 of the total population, or 31 percent.

The cities of the second class have also increased in total population during the last decade. In 1940 the cities in this classification accounted for 398,461, or 15.7 percent of the state's inhabitants. By 1950 this figure had increased to 448,505 or 17.2 percent of the Iowa population.

The 817 towns of Iowa in 1940 were inhabited by 16.5 percent of the state's population. The total for that year was 419,362. Preliminary 1950 figures for towns are not completely available, but of the 661 towns for which census reports have been gathered by the Institute of Public Affairs, a population increase of .47 percent is noted.

Several of the most notable changes in population have occurred in those places where college and university students have been counted as local residents for the first time.

Iowa City, the home of the State University of Iowa, showed an increase of 9,836 inhabitants, or 57.2 percent. The increase was due largely to the counting of students. Excluded from the Iowa City figure were approximately 2,000 university students and dependents



TABLE 6  
POPULATION INCREASES IN CITIES OF THE FIRST CLASS

CITY	POPULATION		PERCENT INCREASE
	1940	1950*	
Des Moines	159,819	176,954	10.7
Sioux City	82,364	84,035	2.0
Davenport**	66,039	73,640	11.5
Cedar Rapids	62,120	72,149	16.1
Waterloo	51,743	64,354	24.4
Dubuque	43,892	49,528	12.8
Council Bluffs	41,439	45,184	9.0
Ottumwa	31,570	33,640	6.6
Burlington	25,832	30,639	18.6
Clinton	26,270	30,151	14.8
Mason City	27,080	27,593	1.9
Iowa City	17,182	27,018	57.2
Fort Dodge	22,904	25,025	9.3
Ames	12,555	23,105	84.0
Marshalltown	19,240	19,750	2.7
Muscatine**	18,286	19,483	6.5
Keokuk	15,076	16,076	6.6

\*Unofficial

\*\*Special charter city

living in housing areas such as Finkbine Park and Stadium Park and in Coralville and University Heights, all of which are outside the city's corporate limits. The preliminary 1950 population of Iowa City is 27,018, compared with 17,182 in 1940. Iowa City has been a city of the first class since 1930.

By virtue of an 84 percent population increase, Ames has now become a city of the first class. In 1940 its population was 12,555; the 1950 preliminary census figures place the count at 23,105—an increase of 10,550. This figure includes 7,815 regularly enrolled students at the Iowa State College of Agriculture and Mechanic Arts plus an undetermined number of students' dependents living in Ames.

In Cedar Falls, the counting of students enrolled at the Iowa State Teachers College as residents of that city has been the partial cause of its 53.3 percent increase in population. The 1940 census indicated a count of 9,349; this has increased to 14,336 in 1950.

The only town to become a city of the second class as a result of the counting of college students is Mount Vernon. Approximately 600 Cornell College students were added to the Mount Vernon population to bring it above the 2,000 mark.

Inmates of penal institutions and patients in state hospitals are also significant factors in the populations of certain cities and towns and in the counties in which they are located.



Table 7 gives the populations of institutions under the Board of Control of State Institutions. Only if these institutions are within the corporate limits of the city or town of their location are the inmates or patients included in the city or town population. The number of employes in each institution may not be an important factor in the communities' total populations but certain of these employes may have been drawn to these localities by the employment opportunities.

TABLE 7  
POPULATIONS OF INSTITUTIONS UNDER THE BOARD OF CONTROL  
OF STATE INSTITUTIONS

INSTITUTION	JUNE 30, 1940 <sup>1</sup>		APRIL 30, 1950 <sup>2</sup>	
	INMATES	EMPLOYES	INMATES	EMPLOYES
Men's Reformatory (Anamosa)	1,137 ✓	162 ✓	877 830 ✓	149 152+27 ✓
Cherokee State Hospital	1,594 ✓	269 ✓	1,607 1608 ✓	343 348 ✓
Clarinda State Hospital	1,697 ✓	246 ✓	1,436 1495 ✓	323 323 ✓
Iowa Annie Wittenmyer Home (Davenport)	506 ✓	117 ✓	412 407 ✓	156 156 ✓
Training School for Boys (Eldora)	587 ✓	90 ✓	178 170 ✓	112 113 ✓
Iowa State Penitentiary (Fort Madison)	1,446 ✓	164 ✓	1,187 1178 ✓	188 189+28 ✓
Glenwood State School	1,747 ✓	268 ✓	1,832 1827 ✓	305 296 ✓
Independence State Hospital	1,661 ✓	238 ✓	1,609 1630 ✓	329 343 ✓
Iowa Soldiers' Home (Marshalltown)	348 ✓	129 ✓	374 402 ✓	125 224 ✓
Training School for Girls (Mitchellville)	160 ✓	46 ✓	104 97 ✓	47 48 ✓
Mt. Pleasant State Hospital	1,482 ✓	193 ✓	1,311 1391 ✓	377 321 ✓
Women's Reformatory (Rockwell City)	70 ✓	23 ✓	72 74 ✓	22 24+1 ✓
State Juvenile Home (Toledo)	201 ✓	50 ✓	207 198 ✓	81 79 ✓
Woodward State Hospital and School	1,539 ✓	181 ✓	1,648 1627 ✓	295 263 ✓
	14,157	2,176	12,854	2,852

<sup>1</sup>Board of Control of State Institutions, Annual Report, 1940.

<sup>2</sup>Furnished by Mr. W. L. Huebner, Secretary, Board of Control of State Institutions.

12,934  
3061  
2881

CITY AND TOWN COUNCILS

In addition to the requirement noted above that the city council must revise certain ordinances when the city or town changes class, the number of councilmen and their compensation are determined by population classes.

*Towns*—In towns the council is composed of five members elected at large. Compensation may not exceed \$2 for each regular or special meeting nor a total of more than \$100 per year. (Secs. 363.9, 363.38)

1603 - fewer patients.  
209 - more employees.

Under the council-manager form of government, the council in towns consists of three members. In towns, the council under this form of government serves without compensation. (Secs. 419.7, 419.19)

*Cities*—In cities, whether of the first or second class, one councilman is elected from each ward and two at large. However, if a city contains within its limits the whole or part of two or more townships, two of which parts contain 1,000 or more electors, only one councilman at large may be elected in any one township. (Sec. 363.9) The above provisions relate to the mayor-council form of government. When the electorate of a city has voted for the adoption of the city manager plan, five councilmen are elected at large in cities having a population of 25,000 or more and three councilmen in cities and towns of lesser population. (Sec. 419.7) An exception is provided, however, in that cities with populations of 20,000 and less than 75,000 composed of two townships which are divided by a river, must elect two councilmen from each of the townships. (Sec. 419.8)

Petitions for the nomination of councilmen under the city manager plan must be signed by at least 10 electors for each 1,000 inhabitants of the city as shown by the latest national census (Sec. 419.21)

Compensation of councilmen in first class cities under the mayor-council form of government may not exceed \$400 per year except in cities of 50,000 or more population and traversed by a river, in which cases a maximum yearly amount of \$500 is authorized. (Sec. 363.38) If the population of a council-manager city is 30,000 or more, the council members receive not in excess of \$300 as annual compensation. (Sec. 419.19)

In second class cities which are governed by a mayor and council, the compensation for council members is fixed at not more than \$4 for each regular or special meeting, but the total sum for any year may not be greater than \$250. (Sec. 363.38) Councilmen under the council-manager system receive no compensation. (Sec. 419.19)

#### COURTS

The local court system in Iowa consists of the mayor's, police, superior, municipal and justice of the peace courts.

In those cities of the first class which have neither a municipal nor a superior court, the police court has the same jurisdiction in criminal actions as a justice of the peace court or a mayor's court. Superior, municipal and police courts also have exclusive jurisdiction of all actions or prosecutions for violation of city ordinances. In cities and towns which do not have superior, municipal or police courts, the mayor has exclusive jurisdiction of a justice of the peace, coextensive with the county; in civil cases, the jurisdiction within a city or town that a justice of the peace has within the township.



*Municipal court*—Any city with a population of 5,000 or more may establish a municipal court. (Sec. 602.1) The number of judges for such courts is based upon population as follows: (Sec. 602.5)

POPULATION	JUDGES
Less than 40,000	1
More than 40,000, less than 60,000	2
More than 60,000	1 for each 40,000 inhabitants or major fraction, but not to exceed four.

The annual salary of municipal judges, clerks and bailiffs is also computed on the basis of the population of city. (Sec. 602.49)

POPULATION	Judge	Clerk	Bailiff
Less than 30,000	\$4375	\$2700	\$2500
30,000 but less than 75,000	5000	3200	2750
75,000	5250	3700	3000

Salaries of the municipal court officials are paid on alternate months from the city treasury and the county court expense fund. Compensation of shorthand reporters in municipal courts is fixed by order of the court but may not exceed \$10 per day in cities of less than 70,000 population and \$12.50 per day in larger cities. The per diem of the reporter is paid one-half by the city and one-half by the county. (Sec. 602.46)

*Superior court*—Any city with 4,000 inhabitants may provide for a superior court. (Sec. 603.1) If established, the superior court takes the place of the police court. Although Cedar Rapids, Keokuk, Oelwein, Perry, Council Bluffs, Shenandoah, Creston, Grinnell and Iowa Falls have had superior courts at some time, only in Cedar Rapids is one now functioning.

*Police court*—A court of this type is required in first class cities which have neither a superior nor a municipal court. (Sec. 367.1) In mayor-council cities of 40,000 population or more, the council may appoint a police judge if there is no municipal or superior court in the city. (Sec. 363.12) The police judge may be elected in first class cities if the council so orders by ordinance. (Sec. 363.10)

#### MUNICIPAL OFFICERS AND EMPLOYES

In several instances municipal officers and employes are elected or appointed on the basis of population.

*Auditor, solicitor, engineer*—The appointment of these officials is optional, but the council may also provide for their election in cities having a population of 40,000 or over and which are under the mayor-council form of government. (Sec. 363.12)



*Police judge*—In cities of the first class where there is no municipal or superior court the city council by ordinance may provide for the election of the police judge. (Sec. 363.10) The council may appoint the police judge in mayor-council cities of over 40,000 in which there is neither a municipal nor a superior court. (Sec. 363.12)

*Park commissioners*—Cities under 30,000 population and towns may by ordinance provide for the election of three park commissioners. The ordinance does not become effective, though, until approved by majority vote of the electors at a regular or special election.

Election of three park commissioners in all cities over 30,000 population is mandatory. An exception is provided for cities under the commission form of government which have a department of parks and public property under a commissioner elected as superintendent. In such cities the election of park commissioners is discretionary when the population exceeds 30,000. (Sec. 370.1)

Compensation of the park commissioners is fixed by the city or town council but may not be in excess of \$10 annually for each 1,000 population or fraction thereof as determined by the latest national census. (Sec. 370.5)

*Police matrons*—In those first class cities whose populations range between 25,000 and 60,000, the mayor may appoint one or more police matrons for each station house provided for the detention of imprisonment of women or children under arrest. In larger cities and in council-manager cities of 20,000 or more population, the appointment of one or more police matrons from the civil service list is mandatory. (Sec. 363.14)

#### PUBLIC UTILITIES

Chapter 397 of the Code authorizes cities and towns to “purchase, establish, erect, maintain, and operate within or without their corporate limits, heating plants, waterworks, gasworks, or electric light or power plants, with all the necessary reservoirs, mains, filters, streams, trenches, pipes, drains, poles, wires, burners, machinery, apparatus, and other requisites of said works or plants, and lease or sell the same,” when approved by a majority vote of the qualified electors. Certain additional powers have been granted to cities and towns on the basis of population.

*Waterworks*—When authorized by a vote of the people, cities having a population of 50,000 or more may construct or purchase and operate a waterworks within the city’s corporate limits. Extensions of not to exceed 10 miles from the city limits may also be provided. When waterworks in such cities are once acquired, they may not be leased or sold without a vote of approval, and leases may not run

for a period longer than 25 years. (Sec. 399.1) Such cities may also levy a special tax of not more than one and one-fourth mills for not more than 50 years to pay for the acquisition of the waterworks.

*Waterworks building*—Under certain conditions cities having a population of over 40,000 and less than 50,000 may provide for a business building for the municipal waterworks department. Space in such buildings may also be rented to other departments of the city. (Sec. 397.42)

*Waterworks sinking fund*—See section under general heading *Tax Levies*, this study.

*Trustees*—Upon petition of 10 percent of the qualified electors of any city or town, including commission cities of less than 50,000 population, the city or town council is required to submit the question of placing municipal utilities under the management and control of a board of trustees to the voters of the city or town. The council may, of its own volition, also submit the question to the voters. (Sec. 397.29)

In those commission cities mentioned in the preceding paragraph, each member of the board of trustees may be paid up to \$300 per year for his services. (Sec. 397.33)

*Bonds*—First mortgage bonds for the purpose of extending or improving municipal utilities may be issued by the board of trustees in cities having a population in excess of 25,000 but less than 75,000 and which have no outstanding general city bonds for purchasing or constructing utilities unless they are covered by a sufficient sinking fund. These bonds may not, however, exceed 25 percent of the book value of the plant, the interest rate may not exceed five percent and the maximum retirement period is 20 years. (Sec. 397.35)

*Utilization of waste*—Steam and excess power of municipal utilities in cities of less than 10,000 population may be utilized in the manufacture of artificial ice. (Sec. 397.3)

#### CITY MANAGER PLAN

Chapters 418 and 419 of the Code of Iowa spell out clearly the two ways in which the city manager plan may be adopted by municipalities—either by ordinance of the council or through an election. For the most part the law is of general application but several provisions relate to cities of certain population classifications.

*Establishment by ordinance*—The council in all cities and towns except those under the commission form of government and those having populations in excess of 25,000 may by ordinance create the office of city manager. (Sec. 418.1)

*Councilmen*—See discussion in section on *City and Town Councils*, this study.



*Management of public utilities*—With one exception, the city manager is charged with the management of all municipal water-plants, lighting, heating or power plants and transportation enterprises. In cities having a population of 20,000 or more but less than 75,000, the territory of which lies in two townships which are divided by watercourse, and in which at the time of adoption of the council-manager plan the waterworks management is vested in a board of trustees, the waterworks remain under the control and management of that board. (Sec. 419.55)

#### ELECTIONS

In most instances the election laws of Iowa are of general application, regardless of any population considerations. Special provisions relate to registration of voters, the arrangement of precincts in certain cities and nominations in cities of more than 15,000 population except those under the city-manager plan.

*Registration*—Registration of voters for all elections is optional in cities of between 6,000 and 10,000. In those above the latter figure—not including inmates of state institutions—registration is mandatory. Special provisions of the law, however, pertain to school elections. (Sec. 47.1)

Chapter 48 of the Code provides for permanent registration of voters in cities of more than 125,000 population. The plan for registration set out in that chapter may, however, be adopted by any city in which registration of voters is required.

*Precincts*—The council of any city of less than 3,500 inhabitants, exclusive of inmates of state institutions, may, by joint action with the county board of supervisors, combine any part of the township outside the city with any or all of the wards or precincts as one election precinct, or change or abolish such precinct. (Sec. 49.6)

*Nominations*—Except for city manager cities, the provisions of chapter 43 of the Code govern nominations of candidates for all offices to be filled by direct vote of the people in cities of the first class and special charter cities having populations of over 15,000. (Sec. 43.112)

#### POLICE AND FIRE DEPARTMENTS

The laws of Iowa in regard to police and fire departments are largely of uniform application. However, certain special provisions have been enacted which apply only to cities of specified populations.

*Paid fire departments*—Cities of 5,000 population or more may maintain paid fire departments. (Sec. 368.29)

*Hours on duty*—Firemen employed in fire departments in cities of 15,000 or more population may not be required to remain on duty for periods of time which will total in each month more than an



average of 12 hours per day. In addition, no single period of time or shift can exceed 24 hours in length, although in times of emergency firemen may be required to remain on duty until the emergency has passed when so ordered. (Sec. 410.19; see also sections on *Civil Service* and *Pension Funds*,\* this study.)

*Deputy marshals*—In cities of the first class, deputy marshals must be members of the police force. (Sec. 363.30)

#### REGULATORY POWERS

The state of Iowa, in its exercise of the police power, has granted certain cities the authority to adopt ordinances providing for fair competition in personal services trades and the regulation of building lines. Certain cities are also required to adopt ordinances regulating the business of plumbing. The state housing law is applicable to all cities of 15,000 or more population and may be adopted by cities and towns of lesser populations. Pawnbrokers and junk dealers in cities of 10,000 or more population are also required to report to the police the acquisition of certain articles.

*Personal services trades*—Ordinances providing for fair competition in personal services trades may be adopted in cities and towns upon application by the business establishments involved. In towns and cities of less than 2,500 population, not less than 65 percent of the owners, operators or managers of such business establishments must petition the council for such an ordinance; in larger cities, the number of owners, operators or managers required to apply for a fair competition ordinance must be not less than 70 percent. (Sec. 369.2)

*Building lines*—The city council in cities of the first and second class may establish by ordinance building lines on private or public property at such distance from the street or highway line as may be determined necessary or proper to promote the public health, safety, order and general welfare. (Sec. 368.20)

*Plumbing*—All cities having a population of 6,000 or more are required to adopt and enforce ordinances regulating the business of plumbing, prescribe rules not inconsistent with law for the installation and inspection of plumbing and establish the grade of material to be used. Such cities are further directed to compel the removal of plumbing installed in violation of such rules. (Secs. 368.46-48)

Cities of less than 6,000 population and towns have the power to (1) regulate and license plumbers, (2) create a board of examiners to determine the qualifications of plumbers, (3) prescribe rules for the installation of plumbing work and materials, (4) provide for the inspection of such work, materials and installation and (5) to compel the removal of plumbing installed in violation of those rules. (Sec. 368.45)

*Housing law*—The provisions of chapter 413 of the Code, known as the "Housing Law", apply to every city of the first class and cities under the commission form of government which have a population of 15,000 or more. In all other cities of less than 15,000 population and incorporated towns, any of the provisions of the housing law may be adopted by ordinance. (Secs. 413.1-2)

*Pawnbrokers and junk dealers*—In any city of 10,000 or more population, pawnbrokers, junk dealers and secondhand goods dealers are required to report certain purchases or acquisitions to the police within 24 hours. The articles to be reported include any tools or implements used by carpenters, bricklayers, plasterers, plumbers or other mechanics engaged in the building trades. The report must also include the date and the name of the person from whom the article was purchased or received. Articles so reported to the police may not be disposed of for a period of 48 hours. (Sec. 368.16)

#### STREETS, ROADS, BRIDGES

Because of the tremendous expense involved in building and maintaining streets, roads and bridges, the General Assembly not only has authorized the state highway commission to pay for certain primary highway extensions but also has provided for the distribution of a portion of the road use tax fund to municipalities for street construction purposes. Also, railroad companies may be required to construct viaducts in certain cities. In addition to other general powers, cities of a specified size and with other prescribed requirements are granted privileges with respect to bridges.

*Primary extensions*—In addition to other expenditures of primary road funds authorized by law for the extensions of primary roads in cities and towns, the state highway commission may "construct, or aid in the construction of bridges, viaducts, and railroad grade crossing eliminations on those portions of the extensions of primary roads within cities having a population of twenty-five hundred or more where the houses or business houses average less than two hundred feet apart." (Sec. 313.27) In such cities, the highway commission may reimburse the city for maintenance work on primary extensions up to an average of \$350 per year per mile. (Sec. 313.36)

Extensions of primary roads within cities and towns of less than 2,500 population where the houses or business houses average not less than 200 feet apart may be maintained by the highway commission at the expense of the primary road fund. (Sec. 313.36)

*Bridges and viaducts*—Those cities of 5,000 or greater population have the power to require "any railroad company, owning or operating any railroad tracks upon or across any public streets of such city, to erect, construct, reconstruct, complete, and maintain to



the extent hereinafter provided, any viaduct upon or along such streets, and over or under such tracks, including the approaches thereto, as may be declared by ordinances of such city necessary for the safety and protection of the public." (Secs. 387.1-.16) However, the Iowa state commerce commission must determine whether viaducts are necessary for the public safety and convenience.

Cities of the second class having a population of 2,000 or more and which border on or are traversed by a stream of 200 feet or more in width from shore line to shore line, have full control of the bridge fund. This same power resides with cities of the first class and those cities whose populations are between 4,500 and 6,000 and which are traversed by a river and which contain within the corporate limits of the city at least 12 bridges used for general traffic. (Sec. 381.2)

Bonds may be issued for the construction of bridges, viaducts, underpasses, grade crossing separations and approaches by cities of the first class and second class cities having a population of 5,000 or over and which are traversed by a stream 200 feet or more in width from shore line to shore line. This is an additional grant of power and does not limit powers already existing in cities of those two categories. (Secs. 381.7-8)

*Embankments and fills*—In Iowa only cities of the first class have the power to construct embankments where streets cross ravines, or where fills are essential to maintain streets at uniform widths. (Sec. 389.15)

#### CIVIL SERVICE

With the exception of firemen and policemen in certain cities, the civil service laws of Iowa apply to few municipal employes. For the most part the sections of the Code dealing with civil service are closely related to population classes.

*Civil service commission*—The appointment of a civil service commission is mandatory in those cities with a population of 8,000 or more that have a paid fire department or police department. Cities of lesser size may by ordinance adopt the provisions of chapter 365 of the Code. In this event the council may either appoint a commission or by ordinance provide for the council itself to function as a civil service commission. (Secs. 365.1, 365.3)

In the majority of cities the city clerk acts as clerk of the civil service commission. In cities of more than 75,000 population, however, an employe of the city clerk's office who is employed under the provisions of chapter 365 of the Code is appointed to that position. Such clerk's duties with the commission take precedence over any additional duties of his regular employment. (Sec. 365.4)

*Applicability*—The provisions of chapter 365 of the Code apply



to all appointive officers and employes, including deputy clerks and deputy bailiffs of the municipal court, in cities under any form of government having a population of more than 15,000, with these exceptions: (Sec. 365.6)

1. City clerk, city solicitor, assistant solicitor, assessor, treasurer, auditor, civil engineer, health physician, chief of police, market master.
2. Laborers whose occupations require no special skill or fitness.
3. Election officials.
4. Secretary to the mayor or to any commissioner.
5. Commissioners of any kind.
6. Casual employes.

In other cities (15,000 population and less), chapter 365 applies only to members of the police and fire departments, but the following positions are specifically exempted: (Sec. 365.6)

1. Chiefs of police.
2. Janitors, clerks, stenographers, secretaries.
3. Casual employes.

#### PENSION FUND

In addition to benefits provided under the Iowa Old Age and Survivors Insurance Law, municipalities have been authorized to establish retirement systems for public utility employes, policemen and firemen.

*Public utilities*—In cities having a population of 5,000 or more, including those under the commission and city manager forms of government, a pension and annuity retirement system may be established for the employes of municipally owned and operated public utilities. The retirement plans may be inaugurated by whatever agency is authorized by law to manage and operate the public utility, whether the city council, board of waterworks trustees or other boards or commissions. (Sec. 412.1; see also section on pension funds under *Tax Levies*, this study.)

#### LICENSES AND PERMITS

State law prescribes that cigarettes and beer may be sold only in licensed establishments which have paid a prescribed fee. In the issuance of such permits and licenses, the city council is granted much discretion.

*Beer permits*—Where ordinances have been adopted limiting the number of beer permits to be issued in a city or town, the laws of Iowa specify the absolute minimum. Thus when applicants meet all the requirements of chapter 124 of the Code, one permit is to be issued for each 500 population or fraction thereof up to 2,500 popula-

tion. For cities of over 2,500 population, one additional permit is stipulated for each 750 inhabitants or fraction thereof. In towns of 1,000 population or less, however, two permits must be allowed if the applicants meet all the requirements set by law. (Sec. 124.34)

*Cigarette licenses*—The fees which may be charged for annual cigarette licenses are to some extent based upon population. When licenses are issued during the months of July, August or September, a \$50 fee is prescribed in towns, \$75 in cities of the second class and \$100 in first class cities. Fees for licenses issued during succeeding months are reduced proportionately. (Sec. 98.13)

#### TAX LEVIES

The revenue of the state of Iowa is almost entirely derived from special taxes. On the other hand, property taxation provides most of the income necessary to finance the operations of cities and towns. Many of the municipal tax levies for specific funds are based upon population.

*Road dragging fund*—In towns and cities of less than 8,000 population a tax of not to exceed one-fourth mill may be levied for the sole purpose of dragging streets and roads. (Sec. 404.2)

*City bridge fund*—Municipalities are authorized to levy an annual tax 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 railroad companies. The maximum levies are as follows: (Sec. 404.3)

1. Any city with a population of more than 35,000 and with a meandered stream dividing its corporate limits, not exceeding one mill.
2. All other first class cities, not more than three-fourths mill.
3. Second class cities of more than 5,000 population and traversed by a stream 200 or more feet in width from shore to shore line, not in excess of one and one-fourth mills.
4. Cities with populations between 4,500 and 6,000 and which are traversed by a river and in which there are at least 12 bridges within the corporate limits used for general traffic, not to exceed one and one-fourth mills.

*Water fund*—Although the Code provides a uniform tax levy of not to exceed one and one-half mills to pay for water supplied under contract, if the maximum levy in first class cities is not sufficient the deficiency must be paid from the general fund. (Sec. 404.5(2))

*Fire department maintenance fund*—Under any form of municipal government authorized in Iowa—mayor-council, commission, manager—the following taxes may be levied for the sole purpose of maintaining fire departments except that cities under 3,000 population and



towns may also use such funds to purchase fire equipment: (Sec. 404.5(9))

1. Any city with more than 8,000 inhabitants, not to exceed four and one-half mills.
2. Any city with less than 8,000 population, not in excess of two and one-fourth mills.
3. Any town, not exceeding three-fourths of one mill.

*Gas light, electric light, heat or power funds*—Where cities and towns contract for gas light, electric light, heat or power, taxes may be levied for those purposes at these rates: (Sec. 404.5(10))

1. Any city whose population exceeds 5,000, not more than one and three-fourths mills.
2. Cities with populations less than 5,000 and any town, not in excess of two and one-fourth mills.

*Cemetery fund*—In cities and towns where there are cemeteries owned and controlled either by the city or town or by a private or incorporated cemetery association, township or other municipality, even though the cemetery is situated in an adjoining county but utilized for burial purposes by the people of the city or town involved, a tax may be levied for the care, preservation and adornment of the cemetery. Authorized tax levies for this fund are: (Sec. 404.5(14))

1. In cities of more than 30,000 population, not to exceed one-half mill.
2. Cities with more than 5,000 but not over 30,000 inhabitants, not in excess of one mill.
3. Cities of 5,000 population or less and towns, not more than two mills.

*Comfort station fund*—Chapter 376 of the Code of Iowa authorizes towns and cities to maintain public comfort stations in the following manner: (Sec. 404.5(15))

1. Towns of 1,000 or more inhabitants and cities of less than 25,000 inhabitants may establish and maintain one comfort station.
2. Cities of more than 25,000 but less than 50,000 inhabitants may establish and maintain two comfort stations.
3. Cities with more than 50,000 inhabitants may establish and maintain three comfort stations.

Cities and towns in these population groupings may levy a tax of not to exceed one-fourth mill, or pay the cost of establishing and maintaining the comfort station from the general fund.

*Garbage disposal and street cleaning fund*—For the sole purpose of paying for the cost of the collection and disposal of garbage and other materials which may become dangerous to the public health,



and for the oiling and sprinkling, flushing and cleaning of streets, cities have power to levy taxes as follows: (Sec. 404.5(16))

1. Not in excess of two mills in cities with less than 5,000 population.
2. Not to exceed one mill in those cities with populations of 5,000 but less than 25,000.
3. Cities with more than 25,000 population, not more than three-quarters mill.

*Library fund*—In those cities and towns where free public libraries have been established the following maximum millage rates for maintenance have been fixed by the General Assembly: (Sec. 404.5(19))

1. Not more than two mills in all cities of more than 35,000 population.
2. Not exceeding three mills in all other cities and towns.

*Library building fund*—In addition to the library maintenance fund, a building tax of not to exceed three-fourths mill may be levied to purchase real estate and erect a library building or buildings, or to pay interest on indebtedness incurred for that purpose, and to create a sinking fund for the payment of that indebtedness. An exception is provided, however, in that the levy for this purpose may be as much as one and one-half mills in cities of more than 10,000 and less than 75,000 population in which is situated 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. (Sec. 404.5(20))

*Hospital fund*—Where municipal hospitals have been established, taxes may be levied for the purchasing of sites, buildings which may be converted to hospital purposes, for constructing or reconstructing buildings to be used as hospitals, and for the retirement of bonds issued in payment of such purchases. The following taxes may not, however, be levied for more than 20 years: (Sec. 404.5(26))

1. Cities of more than 22,000 population, not in excess of three-fourths mill.
2. In other cities, not exceeding one and one-fourth mills.

In cities of between 4,000 and 5,000 population, a tax of not to exceed two and one-half mills may also be levied for rebuilding, remodeling or enlarging the municipal hospital.

*City hall fund*—Section 368.41 of the Code authorizes the construction of a city hall when favorably voted on. Tax levies authorized for this purpose are: (Sec. 404.5(28))

1. In cities of more than 65,000 population, not exceeding two and one-half mills for not more than 20 years.
2. Cities of less than 65,000 population and towns, not more than one and one-fourth mills for not more than 20 years.

*Art fund*—Only cities with populations of 75,000 or more may levy taxes for the purchase, construction, maintenance and operation of a place for the exhibition of works of art and for the purchase of works of art, or for the support of an established non-profit art gallery, museum, institute or center conducted for the use and benefit of the public. The maximum levy is one-fourth mill. (Sec. 404.5(29))

*Electric light plant fund*—Under the provisions of chapter 397 of the Code, cities and towns may own and operate their own electric light plants when authorized by a vote of the people. In such cities and towns a tax may be levied to pay for electricity for street lighting and other public purposes. The maximum millage rates are: (Sec. 404.5(30))

1. Not more than one and one-fourth mills in cities and towns with more than 5,000 population.
2. Not in excess of one and three-fourths mills in cities and towns with less than 5,000 population.

*Snow removal fund*—This section applies to all cities and towns in the state with the exception of Des Moines. Cities and towns of less than 125,000 population are under this section of the Code authorized to levy a tax of not to exceed one-half mill for the express purpose of removing snow and ice from the streets. (Sec. 404.5(31))

*Police department maintenance fund*—Only those cities with populations in excess of 12,000, regardless of the form of government, may levy the four mill tax for the purpose of maintaining a police department. (The cost of maintaining police departments in other cities and towns is paid from the general or other funds.) Whenever a police department maintenance fund is established and a tax levied therefor, the millage levied for the general or other fund from which the costs were previously paid must be reduced accordingly, except in cities with a population of 70,000 or more. In those cities the general fund must be reduced one-half the amount of the total levy for the police department maintenance fund. (Sec. 404.5(32))

*City hall improvement, operation and maintenance fund*—By enactment of the 50th General Assembly, cities and towns of 5,000 or less population containing city or town halls, may levy a tax of not to exceed one mill to improve, operate and maintain the city or town hall. (Sec. 404.5(33))

*Main sewer fund*—All cities of the first class have the power to levy a maximum tax of one and one-fourth mills to pay for the construction, reconstruction or repair of any main sewer within the city. The total tax levy for a sewer fund, district sewer fund and main sewer fund, however, shall not exceed two mills. (Sec. 404.7)

*Park tax*—All cities and towns are authorized to levy a tax of



not exceeding one mill for general park purposes. In second class cities and cities acting under special charter, with populations in excess of 7,000 and having 200 or more acres devoted to and set apart for park purposes, an additional tax of not more than three-eighths of a mill may be levied for general park purposes.

In cities of more than 2,500 population an additional tax of not to exceed one and one-fourth mills may be levied for the sole purpose of purchasing and paying for real estate and improving such land acquired for park purposes. This tax may be levied for a maximum of 30 years and must have been approved by the voters of the city at either a regular city election or a special election called for that purpose.

In addition to all other taxes for park purposes, cities of 85,000 or more population may also levy an annual tax of not to exceed one-eighth mill for the purpose of purchasing real estate for park, art or memorial purposes. (Secs. 370.6-7, 404.8)

*Memorial hall maintenance fund*—Whenever memorial halls have been constructed, purchased or donated under the provisions of chapter 37 of the Code, a tax may be levied for the development, operation and maintenance of such buildings. The authorized maximum millage rates are: (Sec. 37.8)

1. In cities of the first class with populations in excess of 50,000, not to exceed two mills on all taxable property within the city.
2. Other cities of the first class, not more than three mills on all taxable property within the city.
3. In second class cities, not exceeding four mills on all taxable property within the city.
4. By towns, not in excess of five mills on all taxable property within the town.

*Airport fund*—Section 330.7 of the Code prescribes a maximum tax of one and one-fourth mills which may be levied for municipal airports when approved by the voters.

An additional tax may be levied, however, for the purposes of equipping, improving, maintaining, operating or enlarging municipal airports without a vote of the people. The limits of the additional levies are: (Sec. 330.16)

1. Under 10,000 population, one and one-fourth mills.
2. From 10,000 to 20,000 population, one mill.
3. From 20,000 to 50,000 population, three-fourths mill.
4. Over 50,000 population, one-half mill.

The taxes so levied may be anticipated by the issuance of bonds maturing not later than 20 years from date of issue.



*Band fund*—When authorized by a vote of the people, cities of not over 40,000 population and towns may levy a tax of not to exceed one-half mill to maintain or employ a municipal band. An additional tax of not more than one-half mill may be levied for educational purposes without further authorization by an election.

The tax which may be levied in cities of greater than 40,000 and not more than 125,000 population may not exceed one-eighth mill. Approval by the electorate is required. (Sec. 375.1)

*Waterworks sinking fund*—Cities of the first class and second class cities with more than 10,000 population have the power to levy a tax of one-half mill for the purpose of creating a sinking fund to be used for the purchase or erection of waterworks or for the payment of any indebtedness incurred by such cities for waterworks now owned by them. This tax, which is in addition to the regular water tax authorized by law, may be levied upon all the property within the corporate limits of the city except lots greater than 10 acres used for horticultural or agricultural purposes. (Sec. 398.1)

*Boundary river bridges*—In cities having a population of 5,000 or more, a tax levy of not more than one-half of one percent of the assessed value of the taxable property in the city may be voted to construct or aid any company which is or may be incorporated under the laws of Iowa in the construction of a highway or combination bridge across any navigable boundary river of the state, commencing or terminating in the city. The bridge may be suitable for use only as a highway or for highway and railway and street railway purposes also. (Sec. 381.9)

*Roadway district fund*—When a portion of the cost of constructing or repairing a roadway within an assessment district is to be paid by a city, it may levy an annual tax for such purpose upon all the taxable property in the city, except moneys and credits, but the total of all such levies cannot exceed two and one-half mills. In cities of 50,000 or more population, however, the total of these levies must not exceed three and three-fourths mills. (Sec. 391.70)

*Viaduct fund*—Cities having a population of 12,000 or more may levy an annual tax of not to exceed one-half mill for the payment of damages incident to the construction of viaducts and approaches. This tax levy is contingent upon the viaduct being required, plans having been approved and no funds legally available for the payment of damages. (Sec. 387.6)

*Pension funds*—A tax of not to exceed one-eighth mill may be levied in cities and towns having organized fire departments and must be levied in cities with organized police departments or paid fire departments for the purpose of creating firemen's and police-

men's pension funds. The one-eighth mill is levied for each of the funds.

If the population of a city is more than 17,000, however, the levy for each pension fund may be up to one-half mill. (Sec. 410.1)

*Special lighting tax*—Whenever cities of the first class have been divided into metropolitan and general lighting districts as provided by section 389.17, a special tax of not to exceed one-half mill may be levied on all property within the metropolitan districts to defray the cost of lighting that area. (Sec. 389.18; see also section on lighting districts under *Miscellaneous*, this study.)

*Storm sewer fund*—Cities whose populations are between 42,000 and 45,000 that encompass a total area of not less than 15 square miles have the power to construct storm sewers and to levy an annual tax of not to exceed four mills to pay for the construction, reconstruction, maintenance, extension, repair and outlet of such sewers. Power to condemn property for this purpose is also granted. (Sec. 391.92)

*Symphony orchestra fund*—Provided the electors have given their approval, a maximum tax of one-eighth mill may be levied in cities of more than 75,000 but less than 125,000 population for the maintenance or employment of a symphony orchestra. (Sec. 379A.1)

#### TRANSFERS OF FUNDS

While in general cities and towns must obtain approval of the state comptroller prior to transferring money from one fund to another, certain exceptions based upon population are authorized by law.

Sections 397.38 and 397.39 of the Code prescribe a uniform procedure for the transfer of surplus funds from earnings of municipal utilities to other municipal funds. An exception is provided in section 397.40, however, in that cities having a population of 5,000 or less and all towns may, by a three-fourths vote of all the members of the city or town council, transfer not more than 50 percent of the surplus in any of these funds at the beginning of the fiscal year without approval of the state comptroller.

In addition, cities having a population of 8,800 or less and towns may make either temporary or permanent transfers from the grading fund, improvement fund, sewer fund, waterworks fund, gas or electric plant fund, water fund, gas or electric light or power fund to any other of these funds or to the park fund. These transfers are contingent upon a unanimous vote of the city or town council and approval by a judge of the district court in the county in which the city or town is located. When a transfer of this type has been approved by a judge, a copy must be filed with the state comptroller. (Sec. 404.9)



#### STATE AID

As stated in the preceding section, the major portion of the income of cities and towns in Iowa is derived from property taxes. However, the state distributes a portion of the profits from liquor sales and the road use tax to municipalities on the basis of population.

*Liquor funds*—Five percent of the gross amount of sales made by state liquor stores is distributed semi-annually to the incorporated cities and towns of Iowa in proportion to the population that each bears to the total population of all incorporated places in the state. (Sec. 123.50(3))

*Road use tax fund*—On the first day of each month the eight percent of the road use tax fund which is by law allocated to the street construction funds of cities and incorporated towns is apportioned by the state treasurer. The amount received by each city and incorporated town is based upon the ratio its population bears to the total population of all such cities and towns in the state. (Sec. 308A.3)

#### MISCELLANEOUS

*Detention stations*—In all cities containing 25,000 or more inhabitants, the mayor is required to designate at least one station house in the city for the detention or imprisonment of women and children who have been arrested. In such station houses, quarters for women and children must be separate from and “out of sight of the rooms or cells” in which male prisoners are kept. (Sec. 363.18(8))

The councils in such cities are further directed to appropriate sufficient funds to provide separate detention rooms and the services of a police matron. (Sec. 363.36(12)); see also section on police matrons under *Municipal Officers and Employes*, this study.)

In addition to jails, which may be erected and maintained in any city or town, cities of the first class have the power to “erect, lease, establish, and maintain station houses for the detention of persons arrested”. (Sec. 368.40)

*Infirmary*—Cities of the first class are authorized to establish and maintain, either within or without the limits of the city, an infirmary for the poor. They may also provide for the distribution of “outdoor relief,” but this has been interpreted to mean relief of the same type furnished by an infirmary. (Sec. 368.39; O.A.G. 1934, p. 297)

*Community centers*—Community centers may be established in cities of 50,000 population or more. (Sec. 374.1)

*Public comfort stations*—Cities and towns whose populations vary from 1,000 to 25,000 may establish and maintain one public comfort station; cities of more than 25,000 but less than 50,000 population may establish and maintain two public comfort stations. Three comfort



stations may be provided in larger cities. (Sec. 376.1; see also section on *Tax Levies*, this study.)

*Hospital construction*—In certain cities 50 percent of the net earnings of municipal electric light plants may be used for construction of a municipal hospital or additions thereto, when approved by a vote of the people. This authority has been granted only to those cities of the second class in which are located state educational institutions and cities whose populations range from 5,000 to 6,000. In addition, the electric light plant must be fully paid for, owned and operated by the city, and the annual income must be in excess of all operating costs and reasonable depreciation charges. (Sec. 380.9)

*Hospital trustees*—The number of hospital trustees in cities of 50,000 population or over may be increased from three to five by an ordinance of the city council. (Sec. 380.2)

*Lighting districts*—The council of any city of the first class where the streets are lighted by electroliers or similar devices may by ordinance divide the city into two districts—the “metropolitan lighting district,” to include all the property abutting upon streets lighted by electroliers or similar devices, and the “general lighting district,” in which is included all the remaining area of the city. (Sec. 389.17; see also section on special lighting tax under *Tax Levies*, this study.)

*Main sewer assessments*—In addition to other powers, cities of less than 47,000 population and those in excess of 125,000 may assess the construction costs of any main sewer or system of main sewers to adjacent property within the district as fixed by the council. (Sec. 391.13; see also section on storm sewer fund under *Tax Levies*, this study.)

*Plats*—Plats purporting to lay out or subdivide land into lots and blocks must be approved by the city council in cities of 25,000 population or more before they may be filed or recorded. Special provisions apply to subdivisions within one mile of the limits of the city involved. In addition, certain plats for assessment and taxation purposes in cities of over 12,000 population may not be filed and recorded until approval has been granted by the city council and by the city plan commission where such a commission exists. (Secs. 409.14-31)

*Smoke abatement*—Section 368.4 of the Code specifies that the emission of dense smoke in cities of 15,000 inhabitants or over is a nuisance. Such cities may provide necessary rules for smoke inspection.

*City assessors*—The appointment of an assessor in cities of more than 125,000 population is mandatory. (Sec. 405.1) In cities of 10,000 to 125,000 population, however, the appointment is optional. If an assessor is named in the latter group of cities, the provisions of chap-

ters 405 and 405A are applicable. (Sec. 405A.1) The assessor so appointed may also be the county assessor, in which case the laws relating to the county assessor and county board of review apply. (Sec. 405A.8)

*Parking meters*—The general provisions of the law relating to revenue derived from parking meters are contained in section 309.8 of the Code. These provisions are, however, not applicable to cities of 10,000 population or less. In cities of this population group, revenue obtained from parking meters may be used to pay for and maintain parking meters and other parking and traffic control devices. Excess funds from parking meters may be used to acquire off-street parking lots or to retire revenue bonds issued for the acquisition of parking lots. (Sec. 390.12)

*Interest on park bonds*—For the purpose of paying for real estate, the city park commission may issue bonds. The annual interest on all such bonds may not exceed the following: (Sec. 370.15)

1. Towns and cities of less than 25,000 population: a sum equal to a tax of five-sixteenths mill on the total taxable value of property subject to taxation.
2. 25,000 or more: a sum equal to a tax of seven-sixteenths mill on the total taxable value of property subject to taxation.

*Registrar of vital statistics*—Local registrars of vital statistics in places of less than 35,000 population are appointed by the county registrar with the approval of the county board of supervisors. In cities of larger size they are appointed by the local board of health. (Sec. 144.6)

*Municipal art galleries*—Cities of 20,000 or more population may provide for the establishment and maintenance of municipal art galleries for the use of the public. (Sec. 379.1)

# Counties

Perhaps the greatest effect of the 1950 census on county government will be in relation to compensation of county officials. In addition, numerous duties of the board of supervisors, quotas for the University hospitals in Iowa City and tax levies for aid to dependent children are based, at least in part, upon population.

Of the 99 Iowa counties, 68 have lost population in the past decade. Of the 31 counties that showed increases, only in those counties which contain large cities were the increases substantial. Johnson and Story counties experienced phenomenal increases because of the counting of college students as local residents, but neither of these counties contains a large city. Table 8 below compares the 1940 and unofficial 1950 populations for counties and county seats and indicates the increase or decrease in population of each.

## COMPENSATION OF COUNTY OFFICIALS AND EMPLOYEES

Except for the county assessor, county engineer and county superintendent of schools the compensation allowed county officers is prescribed by state law. The salary of the county assessor, which is fixed by the county conference board, may not be less than that paid the county auditor but no limit has been established. (Sec. 441.6) Compensation of the county superintendent of schools is determined solely by the county board of education. (Sec. 273.13) The board of supervisors sets the annual salary of the county engineer (Sec. 309.18) and the compensation of the county coroner is on a fee basis. (Sec. 340.19)

*County supervisors*—Except for some of the larger counties, county supervisors are paid a per diem of \$8 for each day of actual service to the county, but the maximum session pay for each is based upon population of the county as follows: (Sec. 331.23)

POPULATION	MAXIMUM
10,000 or less	30 days
10,000, less than 23,000	45 days
23,000, less than 40,000	55 days
40,000, less than 60,000	65 days
60,000, less than 80,000	75 days
80,000, less than 90,000	90 days
90,000 and over	100 days



Fig. 6—PERCENTAGE OF POPULATION INCREASE OR DECREASE,  
1940-1950, BY COUNTIES

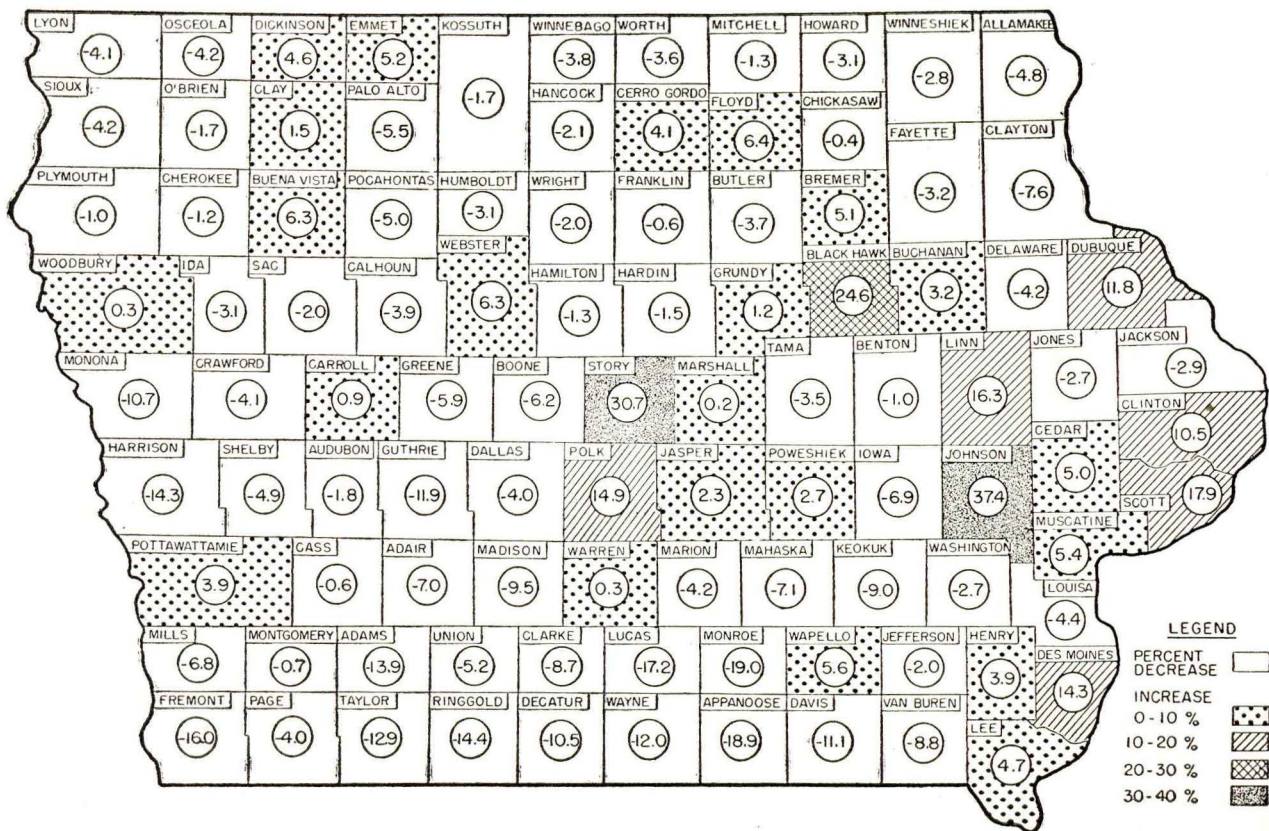


TABLE 8  
COMPARISON OF POPULATIONS OF IOWA COUNTIES  
AND COUNTY SEATS, 1940 AND 1950

COUNTY	POPULATION		INCREASE OR DECREASE	COUNTY SEAT	POPULATION		INCREASE OR DECREASE
	1950*	1940			1950*	1940	
Adair	12,266	13,196	-930	Greenfield	2,090	1,869	221
Adams	8,745	10,156	-1,411	Corning	2,096	2,162	-66
Allamakee	16,353	17,184	-831	Waukon	3,150	2,972	178
Appanoose	19,659	24,245	-4,586	Centerville	7,606	8,413	-807
Audubon	11,575	11,790	-215	Audubon	2,802	2,409	-393
Benton	22,643	22,879	-236	Vinton	4,305	4,163	142
Black Hawk	99,580	79,946	19,634	Waterloo	64,354	51,743	12,611
Boone	27,944	29,782	-1,838	Boone	12,126	12,373	-247
Bremer	18,843	17,932	911	Waverly	5,097	4,156	941
Buchanan	21,666	20,991	675	Independence	4,851	4,342	509
Buena Vista	21,090	19,838	1,252	Storm Lake	6,930	5,274	1,656
Butler	17,328	17,986	-658	Allison	767	708	59
Calhoun	16,890	17,584	-694	Rockwell City	2,324	2,391	-67
Carroll	22,977	22,770	207	Carroll	6,219	5,389	830
Cass	18,532	18,647	-115	Atlantic	6,472	5,802	670
Cedar	17,734	16,884	850	Tipton	2,631	2,518	113
Cerro Gordo	45,648	43,845	1,803	Mason City	27,593	27,080	513
Cherokee	19,031	19,258	-227	Cherokee	7,696	7,469	227
Chickasaw	15,169	15,227	-58	New Hampton	3,311	2,933	378
Clarke	9,344	10,233	-889	Osceola	3,407	3,281	126
Clay	18,031	17,762	269	Spencer	7,421	6,599	822
Clayton	22,490	24,334	-1,844	Elkader	1,564	1,556	8
Clinton	49,436	44,722	4,714	Clinton	30,151	26,270	3,881
Crawford	19,696	20,538	-842	Denison	4,533	4,361	172
Dallas	23,658	24,649	-991	Adel	1,798	1,740	58
Davis	9,898	11,136	-1,238	Bloomfield	2,644	2,732	-88
Decatur	12,545	14,012	-1,467	Leon	2,113	2,307	-194
Delaware	17,709	18,487	-778	Manchester	3,969	3,762	207

COUNTY	POPULATION		INCREASE OR DECREASE	COUNTY SEAT	POPULATION		INCREASE OR DECREASE
	1950*	1940			1950*	1940	
Des Moines	42,056	36,804	5,252	Burlington	30,639	25,832	4,807
Dickinson	12,746	12,185	561	Spirit Lake	2,469	2,161	308
Dubuque	71,294	63,768	7,526	Dubuque	49,528	43,892	5,636
Emmet	14,102	13,406	696	Estherville	6,725	5,651	1,074
Fayette	28,228	29,151	-923	West Union	2,133	2,059	74
Floyd	21,457	20,169	1,288	Charles City	10,277	8,681	1,596
Franklin	16,287	16,379	-92	Hampton	4,432	4,006	426
Fremont	12,302	14,645	-2,343	Sidney	1,127	1,290	-163
Greene	15,613	16,599	-986	Jefferson	4,324	4,088	236
Grundy	13,683	13,518	165	Grundy Center	2,121	2,012	109
Guthrie	15,156	17,210	-2,054	Guthrie Center	2,028	2,066	-38
Hamilton	19,659	19,922	-263	Webster City	7,604	6,738	866
Hancock	15,079	15,402	-323	Garner	1,679	1,549	130
Hardin	22,189	22,530	-341	Eldora	3,093	3,553	-460
Harrison	19,508	22,767	-3,259	Logan	1,003	1,700	-697
Henry	18,687	17,994	693	Mount Pleasant	5,831	4,619	1,212
Howard	13,105	13,531	-426	Cresco	3,638	3,530	108
Humboldt	13,045	13,459	-414	Dakota City	637	537	100
Ida	10,710	11,047	-337	Ida Grove	2,198	2,238	-40
Iowa	15,838	17,016	-1,178	Marengo	2,155	2,260	-105
Jackson	18,627	19,181	-554	Maquoketa	4,303	4,076	227
Jasper	32,235	31,496	739	Newton	11,699	10,462	1,237
Jefferson	15,451	15,762	-311	Fairfield	7,042	6,773	269
Johnson	45,591	33,191	12,400	Iowa City	27,018	17,182	9,836
Jones	19,405	19,950	-545	Anamosa	3,905	4,069	-164
Keokuk	16,757	18,406	1,649	Sigourney	2,334	2,355	21
Kossuth	26,181	26,630	-449	Algona	5,359	4,954	405
Lee	43,002	41,074	1,908	Fort Madison	14,943	14,063	880
Linn	103,711	89,142	14,569	Cedar Rapids	72,149	62,120	10,029
Louisa	10,878	11,384	-506	Wapello	1,749	1,603	146
Lucas	12,065	14,571	-2,506	Chariton	5,324	5,754	-430
Lyon	14,747	15,374	-627	Rock Rapids	2,668	2,556	112



TABLE 8 Continued

COUNTY	POPULATION		INCREASE OR DECREASE	COUNTY SEAT	POPULATION		INCREASE OR DECREASE
	1950*	1940			1950*	1940	
Madison	13,152	14,525	-1,373	Winterset	3,579	3,631	-52
Mahaska	24,609	26,485	-1,876	Oskaloosa	11,095	11,024	71
Marion	25,880	27,019	-1,139	Knoxville	7,604	6,936	668
Marshall	35,484	35,406	78	Marshalltown	19,750	19,240	510
Mills	14,040	15,064	-1,024	Glenwood	4,662	4,501	161
Mitchell	13,931	14,121	-190	Osage	3,442	3,196	246
Monona	16,287	18,238	-1,951	Onawa	3,488	3,438	50
Monroe	11,788	14,553	-2,765	Albia	4,823	5,157	-334
Montgomery	15,594	15,697	-103	Red Oak	6,451	5,763	688
Muscatine	32,987	31,296	1,691	Muscatine	19,483	18,286	1,197
O'Brien	18,958	19,293	-335	Pringhar	1,150	1,081	69
Osceola	10,158	10,607	-449	Sibley	2,546	2,356	190
Page	23,885	24,887	-1,002	Clarinda	5,077	4,905	172
Palo Alto	15,284	16,170	-886	Emmetsburg	3,751	3,374	377
Plymouth	23,277	23,502	-225	LeMars	5,846	5,353	493
Pocahontas	15,450	16,266	-816	Pocahontas	1,943	1,730	213
Polk	224,920	195,835	29,085	Des Moines	176,954	159,819	17,135
Pottawattamie	69,373	66,756	2,617	Council Bluffs	45,184	41,439	3,745
Poweshiek	19,261	18,758	503	Montezuma	1,458	1,477	-19
Ringgold	9,529	11,137	-1,608	Mount Ayr	1,791	1,930	-139
Sac	17,295	17,639	-344	Sac City	3,164	3,165	-1
Scott	99,879	84,748	15,131	Davenport	73,640	66,039	7,601
Shelby	15,904	16,720	-816	Harlan	3,888	3,727	161
Sioux	26,075	27,209	-1,134	Orange City	2,167	1,920	247
Story	43,692	33,434	10,258	Nevada	3,766	3,353	413
Tama	21,646	22,428	-782	Toledo	2,106	2,073	33
Taylor	12,413	14,258	-1,845	Bedford	1,996	2,151	-155
Union	15,436	16,280	-844	Creston	8,302	8,033	269
Van Buren	10,988	12,053	-1,065	Keosauqua	1,092	1,040	-52
Wapello	46,744	44,280	2,464	Ottumwa	33,640	31,570	2,070

COUNTY	POPULATION		INCREASE OR DECREASE	COUNTY SEAT	POPULATION		INCREASE OR DECREASE
	1950*	1940			1950*	1940	
Warren	17,746	17,695	51	Indianola	5,146	4,123	1,023
Washington	19,521	20,055	-534	Washington	5,880	5,227	653
Wayne	11,709	13,308	-1,599	Corydon	1,858	1,872	-14
Webster	44,118	41,521	2,597	Fort Dodge	25,025	22,904	2,121
Winnebago	13,439	13,972	-533	Forest City	2,758	2,545	213
Winneshiek	21,644	22,263	-619	Decorah	6,059	5,303	756
Woodbury	103,959	103,627	332	Sioux City	84,035	82,364	1,671
Worth	11,033	11,449	-416	Northwood	1,759	1,724	35
Wright	19,636	20,038	-402	Clarion	3,139	2,971	168

\*Source: U. S. Bureau of the Census, *1950 Census of Population*, "Preliminary Counts," Series PC-2, No. 30, September 1, 1950

In counties with populations in excess of 60,000, however, and with boards not exceeding five members, an annual salary of \$3,000 is prescribed by law. If the boards in such counties are composed of three members, then the annual salary for each supervisor is set at \$4,000. In counties of more than 150,000 inhabitants (this would apply only to Polk county), the compensation of the supervisors is \$4200 per year. (Sec. 331.22)

*Auditor, treasurer, recorder, sheriff, attorney, clerk of the district court*—The compensation of these county officials is indicated in Table 9.

*Deputy auditors, treasurers, recorders and clerks*—The maximum compensation for these positions is fixed by law but the board of supervisors is given some discretion in setting the salaries. In counties of less than 25,000 population, they may be paid 75 percent of the principal officer's salary, but not to exceed \$2100 per year; in counties of 25,000 but less than 50,000 population, deputies may also receive 75 percent of the principal officer's salary, with a maximum annual compensation of \$2400; in those counties larger than 50,000, the salary is 75 percent of that received by the principal officer.

In counties where there is a city of 36,000 population or more and where more than two deputies are required, the compensation of the additional deputies is set at between 55 and 60 percent of the principal officer's annual salary. Also, a resident deputy collector of taxes may be appointed in non-county seat cities of 6,000 and over which are in counties of 53,000 population or more. The compensation is the same as for a chief deputy. (Sec. 340.2)

In counties which have dual county seats or where district court is held in two places, the compensation of the first deputy, or the deputy in charge of an office, is 75 percent of the principal officer's salary, but not to exceed \$3,000 per year. (Sec. 340.18)

*Deputy sheriff*—The population classes which determine the salaries of deputy sheriffs are similar to those for other deputy officers but the salary schedule is somewhat different. In counties of less than 25,000 population the board of supervisors may fix the salary of deputies at between \$1,800 and \$2,400; in counties of 25,000 population but less than 50,000, the salary may range from \$2,100 to \$2,700, and in larger counties the range is \$2,400 to \$3,000, except that the chief deputy may be paid up to \$3,600 per year. (Sec. 304.8)

*Assistant county attorney*—In counties of less than 36,000 population no compensation is provided for an assistant county attorney. For larger counties, the first assistant may be paid 75 percent of the principal officer's salary and other assistants if required are paid from



**TABLE 9**  
**COMPENSATION ALLOWED PRINCIPAL COUNTY OFFICIALS**

COUNTY POPULATION	AUDITOR <sup>1</sup> (SEC. 340.1)	TREASURER <sup>2</sup> (SEC. 340.3)	RECORDER (SEC. 340.5)	SHERIFF (SEC. 340.7)	ATTORNEY <sup>3</sup> (SEC. 340.9)	CLERK (SEC. 340.11)
Less than 10,000	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400
10,000, less than 15,000	2,550	2,550	2,550	2,550	2,550	2,550
15,000, less than 20,000	2,700	2,700	2,700	2,700	2,700	2,700
20,000, less than 25,000	2,850	2,850	2,850	2,850	2,850	2,850
25,000, less than 30,000	3,000	3,000	3,000	3,000	3,000	3,000
30,000, less than 35,000	3,150	3,150	3,150	3,150	3,150	3,150
35,000, less than 40,000	3,300	3,300	3,300	3,300	3,300	3,300
40,000, less than 45,000	3,450	3,450	3,450	3,450	3,450	3,450
45,000, less than 50,000	3,600	3,600	3,600	3,600	3,600	3,600
50,000, less than 60,000	3,900	3,900	3,900	3,900	3,900	3,900
60,000, less than 70,000	4,200	4,200	4,200	4,200	4,200	4,200
70,000, less than 80,000	4,500	4,500	4,500	4,500	4,500	4,500
80,000 and over	4,800	4,800	4,800			4,800
80,000, less than 100,000					5,000	
80,000, less than 125,000				5,000		
100,000, less than 150,000					5,600	
125,000 and over				6,000		
150,000 and over					6,000	

<sup>1</sup>In counties of over 25,000 population which contain a special charter city in which the county auditor prepares and makes up the tax books for such city, he may receive up to \$300 additional compensation.

<sup>2</sup>In counties of over 25,000 which contain a special charter city in which the county treasurer collects the city's taxes, he may receive up to \$300 additional compensation. Additional compensation may be allowed in counties of 40,000 or more population which contain a first class city, and must be allowed in counties which contain a city of 75,000 population or more.

<sup>3</sup>In counties of less than 60,000 population the county attorney also receives certain fees. Where court is held in two places in the county, the county attorney is paid an additional sum of \$500.

55 to 60 percent of the principal officer's salary as determined by the board of supervisors.

In counties of 57,000 or more population which contain a non-county seat city of 6,000 or more inhabitants, a resident assistant attorney may be appointed at a salary of not to exceed \$2,000. (Sec. 340.10)

*Probation officers*—One or more probation officers may be appointed by the judge of the juvenile court in any county having a population of less than 30,000. Compensation may be set at \$8 per day or \$1 per hour, but the total yearly salary may not exceed \$2,500.

In counties of between 30,000 and 50,000 population, the juvenile court judge may name a chief probation officer whose annual salary may not be greater than \$3,000. Deputies may also be appointed but none may receive more than \$2,000 salary per year and the maximum annual compensation for all deputies is \$4,000. These provisions apply also to counties in which are located educational institutions under the state board of education which have a student enrollment of at least 6,000.

The judge of the juvenile court in counties of between 50,000 and 125,000 population may appoint a chief probation officer whose salary may not be more than \$3,600 per year. If deputies are named the maximum salary of each is \$2,500. In no case, however, may the total compensation of all such deputies exceed \$12,000 in any one year.

In counties with populations greater than 125,000, the chief probation officer may be paid \$4,200 per year. Salaries of deputies may not exceed \$2,600, but not more than \$26,000 may be expended for compensation of all deputies.

The salaries and expenses of probation officers and deputies in counties which contain an educational institution under the control of the state board of education with a student enrollment of at least 4,200 may be paid either from the general county fund or from the court expense fund. (Sec. 231.13)

*Juvenile court secretaries*—The judge of the juvenile court may employ needed secretarial help. If the area served by the court has less than 125,000 inhabitants, compensation of such secretaries is limited to a maximum of \$2,000 per year; in larger areas, they may be paid up to \$2,400 per year. (Sec. 231.8)

#### DUTIES OF COUNTY SUPERVISORS

*Farm aid associations*—Farm aid associations, for the purpose of improving and advancing agriculture, domestic science, animal husbandry, horticulture and the marketing of farm products, may be incorporated in each county in Iowa. Whenever the secretary-treasurer of such an association certifies to the board of supervisors that the



organization has at least 200 bona fide members and that the yearly membership dues and pledges total not less than \$1,000, the board of supervisors is required to appropriate to the association from the general fund a sum double the amount of such membership fees and pledges. (Secs. 176.1, 176.3, 176.8) •

The county appropriations for farm aid associations may not, however, exceed \$3,000 in any one year in counties with less than 25,000 population, nor \$5,000 in larger counties. If court is held in two different places in a county with a population in excess of 60,000 and there are two qualified associations within the county, the total appropriations may not exceed \$7,000 in any one year. (Sec. 176.8)

*Teachers' meetings*—The county superintendent of schools is authorized to arrange for meetings of teachers, the purpose of which is the improvement of instruction in the county schools. Whenever such meetings are legally scheduled the board of supervisors is required to appropriate certain sums for their support. In counties having a population of 30,000 or less, the sum to be appropriated by the board at its January session is \$150; if the population of the county is in excess of 30,000, the amount to be appropriated from the general fund for this purpose is \$200. (Sec. 272.5)

*Tuberculosis hospitals*—The board of supervisors may appropriate funds for acquiring, constructing and equipping sites and buildings for tuberculosis hospitals without submitting the question to a vote. The sums appropriated may not, however, exceed \$5,000 in counties of over 15,000 but less than 67,000 population, and \$2,000 in counties of less than 15,000 inhabitants. (Sec. 254.3)

*Courthouse, jail or county home improvements*—In counties with populations of 65,000 or more, the board of supervisors may make additions to the courthouse, jail or county home without submitting the question to the voters provided the cost does not exceed \$25,000 and the sum to be expended is available in the county general fund, unappropriated, and will not require an additional tax levy. (Sec. 345.3)

*Selection of official newspapers*—The official county newspapers are selected by the board of supervisors on the basis of population. In counties of less than 15,000 population, two newspapers are selected; in counties of more than 50,000 inhabitants with two court divisions, three newspapers are named in each court division; where district court is held in two divisions in a county of less than 50,000 population, two newspapers are selected in each division. In all other counties the number of official newspapers has been fixed by the General Assembly at three. (Sec. 349.3)

*Detention homes*—In counties of more than 30,000 population



the board of supervisors may, and in counties of more than 40,000 inhabitants must, provide and maintain a suitable detention home and school for dependent, neglected and delinquent children. Such detention homes must be outside the enclosure of any jail or police station. (Sec. 232.35)

*County board of social welfare*—The appointment of a county board of social welfare is mandatory in each county. In counties of less than 33,000 population, the board is composed of three members, not more than two of whom may belong to the same political party. In larger counties the number of members is five, with not more than three belonging to the same political party. In each case one of the members must be a woman. Members of the board of supervisors are eligible for membership on the county social welfare board. (Sec. 234.9)

*Mileage for sheriff*—The board of supervisors in counties of 100,000 population or more may contract with the sheriff for the use of an automobile on a monthly basis in lieu of the payment of mileage in the service of criminal processes. (Sec. 337.13)

*County zoning commission*—In counties of 60,000 or more, a county zoning commission may be appointed at the discretion of the board of supervisors. Within certain limitations the board of supervisors also is empowered to restrict and regulate building except on farms. (Chapter 358A)

*Township divisions*—Whenever a city or town with a population in excess of 1,500 is included in any township, the electors of the township who reside without the city or town may petition the board of supervisors to divide the township—one township to include the area outside the city or town and the second township to include the area within the corporate limits of the city or town. (Sec. 359.5)

#### TAX LEVIES

*Aid to dependent children*—The appropriations required of counties for aid to dependent children are stated in section 239.11. This section further authorizes the board of supervisors in counties having a population of 60,000 or more to levy an annual tax of not to exceed one-fourth mill, and boards in counties of more than 35,000 but less than 60,000 population to levy a maximum tax of one-eighth mill to carry out the provisions of the chapter of the Code dealing with aid to dependent children.

*Improvements authorized by voters*—Whenever public improvements have been authorized by vote of the people, as provided in chapter 345 of the Code, the rate of tax to pay for such improvements may not be more than one-fourth of one percent of the county taxable valuation in any one year. In counties of 25,000 or more population, or

where \$100,000 or more has been or is proposed to be expended, the rate of levy must be such as to pay off the indebtedness in not more than 25 years. (Chapter 345)

#### MISCELLANEOUS

*County attorney as counsel*—In counties of less than 25,000 population where the township trustees institute or are made parties to litigation in connection with their official duties, it is the duty of the county attorney to appear in behalf of the trustees except where the interests of the county and the trustees are adverse. (Sec. 359.18)

*University hospital quotas*—Admissions of indigent patients to the University hospitals in Iowa City are on a county quota basis. The number of patients admitted from each county bears the same relation to the total number admitted as the population of each county bears to the population of the entire state. The county quotas established apply to all indigent patients except for obstetrical or orthopedic. If the number of patients admitted from any county exceeds 10 percent of the quota, the actual cost of care and treatment is assessed against the county. (Sec. 255.16)

*Number of supervisors*—In those counties of over 50,000 population in which district court is held in two places and there are five members of the board of supervisors, not more than three supervisors may be elected from either of the areas served by the court. (Sec. 39.20)

## *Concluding Comments*

When the 54th General Assembly convenes in Des Moines on January 8, 1951, it will be presented with several important tasks as a result of the 1950 census.

On the state level, the major subject will be that of legislative representation. If Iowa should lose a representative in the United States House of Representatives, the General Assembly no doubt will re-district the state. But even though the present representation of eight congressmen is continued, the state may re-district if it so desires. Also, the Constitution of Iowa provides that the General Assembly "shall" apportion the 50 state senators following each census. The discretion of the General Assembly in these matters is almost unlimited, however, since the courts have held such subjects to be of a political nature and hence not subject to judicial review.

At the municipal level a much broader field of activity is affected by the census. Here, too, the General Assembly will have under consideration the revision of some laws which involve population. The situation is complicated by the fact that the 53rd General Assembly in 1949 appointed a Municipal Code Study Committee to make an extensive study of municipal problems and laws and recommend a program of simplification and clarification of the approximately 2,000 sections of the Code of Iowa which deal with municipalities. Although the committee has not made public any of its deliberations, it is known that many phases of municipal finance, some of which are dealt with in this study, have been given much consideration. Thus while the aspects of municipal government presented here are still on the statute books, it is conceivable that some may be revised by the General Assembly in 1951.

In the field of county government, population changes affect most seriously the compensation of county officers. The substantial population changes in some counties bring forcibly to attention the question of whether population as the sole basis for determining salaries is a sound personnel practice.

All levels of government in Iowa are affected in some degree by the 1950 national census. The purpose of this study has been to bring together in one publication the principal aspects of government affected by official population changes. It is hoped that such a compilation will prove of value to interested citizens as well as public officials throughout the state.



# Appendix

Following are preliminary counts of the 1950 populations of all Iowa cities and towns over 1,000 in population. Source: U.S. Bureau of the Census, *1950 Census of Population*, "Preliminary Counts," Series PC-2, No. 30, September 1, 1950.

Ackley	1,603	Clinton	30,151
Adel	1,798	Colfax	2,267
Akron	1,252	Columbus Junction	1,115
Albia	4,823	Coon Rapids	1,668
Algona	5,359	Corning	2,096
Alta	1,350	Corydon	1,858
Alton	1,034	Council Bluffs	45,184
Ames	23,105	Cresco	3,638
Anamosa	3,905	Creston	8,302
Anita	1,111	Davenport	73,640
Ankeny	1,226	Decorah	6,059
Arnolds Park	1,067	Denison	4,533
Atlantic	6,472	Des Moines	176,954
Audubon	2,802	DeWitt	2,642
Avoca	1,587	Dubuque	49,528
Bedford	1,996	Dunlap	1,401
Belle Plaine	3,053	Durant	1,077
Bellevue	1,963	Dyersville	2,418
Belmond	2,175	Dysart	1,084
Bettendorf	5,110	Eagle Grove	4,167
Bloomfield	2,644	Eldon	1,452
Boone	12,126	Eldora	3,093
Britt	1,901	Elkader	1,564
Brooklyn	1,310	Emmetsburg	3,751
Buffalo Center	1,084	Estherville	6,725
Burlington	30,639	Evansdale	3,575
Camanche	1,210	Exira	1,122
Carroll	6,219	Fairfield	7,042
Carter Lake	1,184	Fayette	1,464
Cascade	1,312	Fonda	1,108
Cedar Falls	14,336	Forest City	2,758
Cedar Rapids	72,149	Fort Dodge	25,025
Centerville	7,606	Fort Madison	14,943
Chariton	5,324	Garner	1,679
Charles City	10,277	George	1,210
Cherokee	7,696	Glenwood	4,662
Clarinda	5,077	Gowrie	1,045
Clarion	3,139	Graettinger	1,010
Clarksville	1,207	Grand Junction	1,033
Clear Lake	4,962	Greene	1,336

Greenfield	2,090	Mount Ayr	1,791
Grimmell	6,770	Mount Pleasant	5,831
Griswold	1,151	Mount Vernon	2,320
Grundy Center	2,121	Muscatine	19,483
Guthrie Center	2,028	Mystic	1,247
Guttenberg	1,911	McGregor	1,133
Hamburg	2,072	Nashua	1,600
Hampton	4,432	Nevada	3,766
Harlan	3,888	New Hampton	3,311
Hartley	1,614	New London	1,512
Hawarden	2,628	New Sharon	1,082
Holstein	1,335	Newton	11,699
Hull	1,134	Nora Springs	1,254
Humboldt	3,191	Northwood	1,759
Ida Grove	2,198	Oakland	1,289
Independence	4,851	Odebolt	1,266
Indianola	5,146	Oelwein	7,838
Iowa City	27,018	Ogden	1,473
Iowa Falls	4,901	Onawa	3,488
Jefferson	4,324	Orange City	2,167
Jesup	1,149	Osage	3,442
Keokuk	16,076	Osceola	3,407
Keosauqua	1,092	Oskaloosa	11,095
Keota	1,137	Ottumwa	33,640
Kingsley	1,093	Panora	1,054
Knoxville	7,604	Parkersburg	1,295
Lake City	2,298	Paullina	1,286
Lake Mills	1,559	Pella	4,414
Lake View	1,154	Perry	6,161
Lamoni	2,177	Pocahontas	1,943
Lansing	1,525	Postville	1,340
LaPorte City	1,760	Primghar	1,150
Laurens	1,537	Red Oak	6,451
LeClaire	1,122	Reinbeck	1,453
LeMars	5,846	Remsen	1,288
Lenox	1,169	Rock Rapids	2,668
Leon	2,113	Rock Valley	1,576
Logan	1,003	Rockwell City	2,320
Madrid	1,821	Sac City	3,164
Malvern	1,257	Sanborn	1,338
Manchester	3,969	Seymour	1,226
Manilla	1,034	Sheffield	1,162
Manly	1,465	Sheldon	3,992
Manning	1,799	Shell Rock	1,004
Manson	1,608	Shenandoah	6,917
Mapleton	1,850	Sibley	2,546
Maquoketa	4,303	Sidney	1,127
Marcus	1,264	Sigourney	2,334
Marengo	2,155	Sioux Center	1,860
Marion	5,841	Sioux City	84,035
Marshalltown	19,750	Sioux Rapids	1,007
Mason City	27,593	Spencer	7,421
Milford	1,373	Spirit Lake	2,469
Missouri Valley	3,517	State Center	1,038
Monona	1,344	Storm Lake	6,930
Monroe	1,106	Story City	1,538
Montezuma	1,458	Strawberry Point	1,236
Monticello	2,891	Stuart	1,491

Sumner	1,908	Waverly	5,097
Tama	2,924	Webster City	7,604
Tipton	2,631	Wellman	1,060
Toledo	2,106	West Burlington	1,615
Traer	1,620	West Des Moines	5,608
Tripoli	1,122	West Liberty	1,862
Urbandale	1,773	West Union	2,133
Villisca	1,811	What Cheer	1,116
Vinton	4,305	Williamsburg	1,176
Wapello	1,749	Wilton	1,450
Washington	5,880	Windsor Heights	1,415
Waterloo	64,354	Winterset	3,579
Waukon	3,150	Woodbine	1,297



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