

## CHAPTER 416

### PUBLIC BUILDINGS

416.01	MEMORIALS FOR WAR VETERANS.	416.07	SECOND CLASS CITIES; PUBLIC
416.02	TAX LEVY.		BUILDINGS WITH PARKWAY.
416.05	WAR AND HISTORICAL MUSEUM.	416.16	CONDEMNATION OF LAND FOR PUBLIC
416.06	CONSTRUCTION.		BUILDINGS.

#### 416.01 MEMORIALS FOR WAR VETERANS.

The governing body of any city of this state, however organized, may, after the approval of a majority of the voters of such city, voting on the question at a special election called for the purpose, or at a general election or an annual election, in the notice whereof the proposal to do so has been submitted for approval or rejection, adopt an ordinance providing for the erection, equipment, and maintenance of a building or monument or parks in recognition of the services performed by soldiers, sailors, marines, and war veterans of the United States. The ordinance may also provide for the supervision and control of such building or monument or parks after its erection. The estimated cost, as determined by the governing body, of such monument or parks or building, shall be stated in such notice and in the proposal to be voted upon; provided, that no sum shall be expended for any such purpose more than ten percent in excess of the amount so stated in such notice. The governing body of such city, after such approval, is authorized to acquire a site within such city upon which such monument or parks or building may be erected; provided, that before such election the site shall be designated and the cost thereof specified in such election notice.

**History:** (1933–10) 1923 c 325 s 1; 1973 c 123 art 5 s 7

#### 416.02 TAX LEVY.

For the purpose of meeting the cost of such building or monument or parks, any such city may levy, within the limits permitted by law, amounts sufficient to cover the cost of such building or monument, or parks, but any such sums so levied shall be separately levied, and when collected, shall be paid into a special separate fund and used only for the purpose of paying for the cost of such building or monument or parks.

**History:** (1933–10 1/2) 1923 c 325 s 2; 1973 c 123 art 5 s 7

**416.03** [Repealed, 1976 c 44 s 70]

**416.04** [Repealed, 1976 c 44 s 70]

#### 416.05 WAR AND HISTORICAL MUSEUM.

The governing body of any such city may provide in such building for a war and historical museum, and for such other features as it may determine.

**History:** (1933–13) 1923 c 325 s 5; 1973 c 123 art 5 s 7

#### 416.06 CONSTRUCTION.

Insofar as sections 416.01 to 416.06 affect cities of the third class, they shall be deemed as amendatory of and supplemental to Laws 1921, chapter 257, but shall not affect any building, monument, or parks or proceedings heretofore commenced thereunder.

**History:** (1933–14) 1923 c 325 s 6

#### 416.07 SECOND CLASS CITIES; PUBLIC BUILDINGS WITH PARKWAY.

Each city of the second class in the state is hereby authorized to construct and to maintain in the public streets or alleys thereof buildings for use as sewer pumping stations, public restrooms, and other public purposes.

Each such city is authorized to maintain a small parkway around each of such buildings.

No such city shall be liable in damage to anyone suffering injury by reason of the construction or maintenance of such buildings unless such injury was due to a failure on the part of such city to exercise ordinary care in the construction or maintenance of such buildings.

Each such city is hereby authorized to acquire the necessary property rights and easements to construct and maintain such buildings by condemnation proceedings, gifts, devise, or purchase as in other cases of acquiring property for public use.

**History:** (1659, 1660, 1661, 1662) 1923 c 9 s 1-4; 1925 c 70

**416.08** [Repealed, 1976 c 44 s 70]

**416.09** [Repealed, 1976 c 44 s 70]

**416.10** [Repealed, 1976 c 44 s 70]

**416.11** [Repealed, 1976 c 44 s 70]

**416.12** [Repealed, 1976 c 44 s 70]

**416.13** [Repealed, 1976 c 44 s 70]

**416.14** [Repealed, 1976 c 44 s 70]

**416.15** [Repealed, 1976 c 44 s 70]

#### **416.16 CONDEMNATION OF LAND FOR PUBLIC BUILDINGS.**

Any city in this state now or hereafter having a population of over 50,000 shall have the right, power, and authority to condemn lands under the power of eminent domain for sites and grounds for public school buildings, and for all other municipal or public buildings for such cities, or for any of the departments of its government, and such power and authority shall be exercised under and pursuant to the terms and provisions of chapter 117; provided that any such city shall have the right, upon the filing of the award of the commissioners provided for in chapter 117 and upon giving the notice therein required of the filing of such award, to enter upon and appropriate the lands so condemned, without the giving of any bond, but in case of such entry and appropriation, such city shall be bound absolutely to pay all damages awarded, either by the commissioners or by the court upon appeal therefrom, together with all costs and expenses adjudged against it therein, within the time specified in chapter 117. In case any such city shall appeal from the award of commissioners appointed pursuant to any such condemnation proceedings, such city shall not be required to give or file any appeal bond therein.

**History:** (1492) 1907 c 291 s 1; 2006 c 214 s 20