



**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**02-268**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**AGENDA:**

MAY 20, 2002

**SYNOPSIS -**

City ordinance 10-43 at subsections 6, 7, and 8 are misplaced. The language of subsections 6, 7, and 8 apply to liquor licensees, but the language is currently located in the requirements for liquor license applicants. As such, they are unenforceable against liquor license holders.

**SUBJECT:**

ORDINANCE  
AMENDMENT/  
LIQUOR LICENSEE  
PROHIBITIONS

**FISCAL IMPACT -**

None.

**TYPE:**

RESOLUTION  
ORDINANCE  
RECEIVE/FILE

**RECOMMENDATION -**

**Approval.**

**SUBMITTED BY:**

WILLIAM H.  
MOULDER  
CHIEF OF POLICE

**BACKGROUND -**

It was recently discovered that the ordinance prohibiting lighted alcoholic beverage advertising signs during hours when alcohol sales are also prohibited is unenforceable. It is unenforceable because the prohibition, as currently written, only applies to liquor license applicants. It is believed that the ordinance was intended to apply to liquor license holders. Therefore, this language is recommended to be moved to the prohibitions section applicable to liquor license holders. Two other subsections dealing with maintaining sleeping quarters on a licensed premises and prohibiting loud and boisterous language were similarly misplaced and are recommended to be placed in the section applicable to liquor license holders.

The Police Department recommends waiver of readings for these amendments.



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