

ORDINANCE NO. 13,533

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing subsection (b) of Section 6-96 thereof, and enacting a new subsection (b) of Section 6-96, relating to the licensing of amusement houses.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, be and is hereby amended by repealing subsection (b) of Section 6-96 thereof, and enacting a new subsection (b) of Section 6-96, relating to the licensing of amusement houses, as follows:

6-96. LICENSE REQUIRED.

.....

(b) All applicants for such license shall apply in writing to the city clerk. Such application shall be submitted at least 45 days prior to the proposed date ~~said time requirement to be effective on and after November 1, 1989~~ of commencement of operation of such amusement house. The requirement that such an application be submitted at least 45 days in advance may be waived by the city manager upon a written finding by the city manager that the necessary review and inspection of the proposed amusement house may be completed within the time remaining, and that the expedited review of such application will not interfere with the efficient administration of the Zoning Ordinance and the Building, Fire and Traffic Codes.

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Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney

October , 1997

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing subsection (b) of Section 6-96 thereof, and enacting a new subsection (b) of Section 6-96, relating to the licensing of amusement houses",

presented.

Moved by that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Roger K. Brown

Assistant City Attorney

October , 1997

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing subsection (b) of Section 6-96 thereof, and enacting a new subsection (b) of Section 6-96, relating to the licensing of amusement houses",

which was considered and voted upon under Roll Call No.

of October _____, 1997; again presented.

Moved by that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO.

NOTE: Waiver of this rule is requested by .

FORM APPROVED:

Roger K. Brown

Assistant City Attorney

Proposed amendments to the Amusement Licensing regulations

6-96. LICENSE REQUIRED.

(a) No amusement house shall be permitted within the city without the operator, organizer, or owner first obtaining an amusement house license from the city.

(b) All applicants for such license shall apply in writing to the city clerk. Such application shall be submitted at least 45 days prior to the proposed date ~~said time requirement to be effective on and after November 1, 1989~~ of commencement of operation of such amusement house. The requirement that such an application be submitted at least 45 days in advance may be waived by the city manager upon a written finding by the city manager that the necessary review and inspection of the proposed amusement house may be completed within the time remaining, and that the expedited review of such application will not interfere with the efficient administration of the Zoning Ordinance and the Building, Fire and Traffic Codes.

(c) All license applications shall contain the following information:

- (1) Name and address of the applicant and that of the operator.
 - (2) If the application is made on behalf of an organization, the name and address of the organization.
 - (3) Names and phone numbers of two contact persons.
 - (4) Proposed date(s) and hours of operation of the event.
 - (5) Estimate of daily attendance.
 - (6) Description and diagram of the amusement house drawn to scale, one quarter of an inch equal to 1 foot 0 inches.
 - (7) Names of the company or persons to provide security services at the premises.
- (d) An application to license an amusement house must include in addition to the information required above, the following:
- (i) Presentation by the applicant of a certificate of insurance issued by an insurance company licensed to do business in this state, providing general liability insurance coverage in an amount of not less than \$500,000 per occurrence and aggregate for the injury or death of any person, for damage to property of others and for acts of negligence by the owner, operator, or his or her agents, in the conduct or operation of an amusement house. The general liability insurance shall be on a comprehensive or commercial form and name the city of Des Moines, Iowa as an additional insured. The certificate of insurance shall also evidence that the general liability policy may not be cancelled or modified in any way without 30 days written notice to the city.
 - (ii) The cancellation or other termination of any insurance policy, presented to comply with this section shall automatically revoke and terminate the licenses issued under this subchapter, unless another certificate, complying with this section, shall be provided showing insurance in effect at the time of such cancellation or termination. (C85,§6-96; O.11,393)