

ORDINANCE NO. 13,558

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 13,518, passed August 18, 1997 is hereby amended by adding and enacting a new subsection (j) to Section 17-1.01, all relating to nuisances enumerated, subject to enforcement by administrative hearing procedure or civil action.

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, and amended by Ordinance No. 13,518, passed August 18, 1997 be and is hereby amended by adding and enacting a new subsection (j) to Section 17-1.01, all relating to nuisances enumerated, subject to enforcement by administrative hearing procedure or civil action, as follows:

**17-1.01. NUISANCES ENUMERATED - SUBJECT TO ENFORCEMENT BY ADMINISTRATIVE HEARING PROCEDURE OR CIVIL ACTION.** The following are nuisances which may be enforced through the administrative hearing process as set forth in this subchapter:

----- (j) Obstructing or encroaching by motor vehicles or otherwise upon any public or private, road, street, highway, or right-of-way which causes traffic to cross the marked centerline or leave the usual traveled portion of roadway to travel around the obstruction or encroachment. This subchapter shall not apply to emergency vehicles and official government or utility vehicles in the performance of their duties, nor to other vehicles while legally maneuvering into position, or momentarily engaged in receiving or discharging passengers, loading or unloading of merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator.

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

FORM APPROVED:

Vicky Long-Hill

Assistant City Attorney