

ORDINANCE NO. 13,824

AN ORDINANCE to amend the Municipal Code of Des Moines, Iowa relating to peddlers and solicitation.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Des Moines City Code, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance 11,672, passed June 17, 1991, and amended by Ordinance No. 11,882, passed September 8, 1992, and amended by Ordinance No. 13,403, passed December 16, 1996, and amended by Ordinance No. 13,476, passed May 5, 1997, is hereby amended by repealing Section 19-119 thereof and enacting a new Section 19-119 relating to peddlers and solicitation, as follows:

**19-119. EXCEPTIONS.**

Sales by transient merchants excepted below do not require a license under this subchapter, however, the provisions of section 9-132 shall apply to the conduct of all sales by transient merchants.

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1. The sale of raw fruits and/or vegetables, however, a transient merchant operating under this exception shall register with the City Clerk by supplying all information required under section 9-123.
2. Sales activities conducted pursuant to a Special Permit issued by the Zoning Board of Adjustment pursuant to section 2A-27.

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Sec. 2. That the Des Moines City Code, 2000, is hereby amended by repealing Section 78-62 thereof and enacting a new Section 78-63, relating to peddlers and solicitation, as follows:

Sec. 78-62. Exceptions.

The following sales by transient merchants do not require a license under this article; however, section 78-74 of this article shall apply to the conduct of all sales by transient merchants:

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1. The sale of food in public parks with permission of the park and recreation board.

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1. Sales activities conducted pursuant to a special permit issued by the zoning board of adjustment pursuant to division 3 of article IV of chapter 134 of this Code.
2. Sales activities conducted on property zoned for retail sales use and owned by a non-profit corporation where such sales activities are sponsored by the non-profit corporation and are

limited to the weekends in the months of June through August.

Sec. 3. Section 1 shall be in full force and effect from and after its passage and publication as provided by law. Section 2 shall be in full force and effect from and after July 1, 2000 as provided by law.

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 00-1441), passed by the City Council of said City at a meeting held May 15, 2000, signed by the Mayor on May 15, 2000, and published as provided by law in the Business Record on May 29, 2000. Authorized by Publication Order No.2480.

Donna Boetel-Baker, CMC/AAE, City Clerk