

ORDINANCE NO. 14,230

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by adding and enacting a new subsection (10) to Section 102-604, to permit certain flower pots and planters to be placed within the public rights-of-way without a license.

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

Section 1. The Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, be and is hereby amended by adding and enacting a new subsection (10) to Section 102-604, to permit certain flower pots and planters to be placed within the public rights-of-way without a license, as follows:

**Sec. 102-604. Exemptions from article.**

Nothing in this article shall be held in any way to prohibit or regulate the maintenance or placement of the following:

.....

(10) Portable flower pots and planters, not permanently attached to the sidewalk, provided: i) an unobstructed pathway over the sidewalk is maintained having a width of at least six feet, or the full width of any sidewalk less than six feet wide; ii) the pot or planter occupies less than 8 square feet of area; iii) the pot or planter does not create a hazard to pedestrian or vehicular travel; and, iv) no signage is placed on the pot or planter.

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

Preston A. Daniels, Mayor

Attest:

I, Diane Rauh, 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. 03-1035), passed by the City Council of said City at a meeting held May 5, 2003 signed by the Mayor on May 5, 2003 and published as provided by law in the Business Record on May 19, 2003 Authorized by Publication Order No. 3585.

Diane Rauh, City Clerk