

SUMMARY OF ORDINANCE NO. 14,807

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 repealing Sections 78-61, 78-62, 78-63, 78-64, 78-65, 78-66, 78-67, 78-68, 78-69.01, 78-70, 78-70.01, 78-71, 78-72, 78-73 and 78-74 thereof, and enacting new Sections 78-61, 78-62, 78-64, 78-66, 78-67, 78-68, 78-69.01, 78-70, 78-70.01, 78-71, 78-72, 78-73 and 78-74, and by adding and enacting a new Section 78-10, regarding the regulation of transient merchants and the sale of merchandise from temporary locations or structures.

Notice is hereby given that the City of Des Moines, Iowa (the "City"), has enacted an ordinance having the title identified above. The full text of this Ordinance is on file and available for public inspection in the office of the City Clerk at City Hall, 400 Robert D Ray Drive, Des Moines, Iowa. This Ordinance may also be viewed on-line at the City web page at www.dmgov.org.

This Ordinance enacts a new Section 78-10 to the Municipal Code of the City of Des Moines, prohibiting the display or sale of food, beverages or merchandise from any vehicle, trailer, tent, or other temporary structure, or from any temporary location or place in the City unless such business is conducted under authority of, and in compliance with, a permit or license issued by the City, or qualifies for an exemption to such requirement.

This Ordinance establishes a comprehensive set of regulations regarding the licensing and operation of transient merchant businesses by repealing and replacing substantially all of Article III of Chapter 78 of the Municipal Code of the City of Des Moines. Any person who engages in a merchandising business from a temporary location or structure in the City is considered a transient merchant and must operate under authority of and in conformance with a transient merchant license, unless such business is operating under authority of and in conformance with another permit or license issued by the City or such business falls within any of a list of exceptions contained in Sections 78-61 and 78-62 of the Municipal Code as amended by this Ordinance.

This Ordinance provides for the issuance of three-day, thirty-day and annual transient merchant licenses and establishes minimum site requirements and fees for each type of license. This Ordinance also establishes processes for the issuance of transient merchant licenses; for the appeal of the denial of a transient merchant license; and, for the revocation of the license of any transient merchant who is determined to be operating in violation of the applicable regulations.

CITY OF DES MOINES, IOWA

Christine Hensley, Mayor ProTem

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true summary of an ordinance (Roll Call No. 08-1977), passed by the City Council of said City at a meeting held November 10, 2008 signed by the Mayor ProTem on November 10, 2008 and published as provided by law in the Business Record on November 24, 2008. Authorized by Publication Order No. 6365.

Diane Rauh, City Clerk