

ORDINANCE NO. 14,872

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, by amending Section 14-43, relating to hours of operation for game rooms unless the use is in conjunction with a music permit or an entertainment venue license.

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

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by amending Section 14-43 relating to hours of operation for game rooms unless the use is in conjunction with a music permit or an entertainment venue license, as follows:

Sec. 14-43. Hours of operation.

- (a) Game rooms shall not permit patrons to play or operate amusement devices, excepting jukeboxes and other vending machines the sole product of which is recorded music, between the hours of 2:00 a.m. and 6:00 a.m. unless the use is in conjunction with a music permit or an entertainment venue license; provided, however:
 - (1) This restriction shall not apply to those game rooms at which are located no more than a jukebox and two other amusement devices.
 - (2) This subsection shall not be construed to require that a game room close at 2:00 a.m.
 - (3) A licensee shall be held to have complied with this subsection if he or she renders the amusement devices inoperable by either cutting off electricity to such devices or by closing off access by the public to the area in which such devices are situated at or before 2:00 a.m.
- (b) The exception set forth in subsection (a) of this section pertaining to jukeboxes shall not apply to those locations described in section 10-14(a) of this Code.

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

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

T. M. Franklin Cownie, 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. 09-1367), passed by the City Council of said City at a meeting held July 27, 2009 signed by the Mayor on July 27, 2009 and published as provided by law in the Business Record on August 10, 2009. Authorized by Publication Order No. 6630.

Diane Rauh, City Clerk