

ORDINANCE NO. 14,877

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 Article VIII of Chapter 70 thereof regarding residency restrictions for sex offenders which has been preempted and nullified by state law.

WHEREAS, Senate File 304 (the "Act") became effective on July 1, 2009, and makes sweeping changes to the sex offender registry and related sex offender laws; and,

WHEREAS, a provision of the Act, codified at Section 692A.127 of the Iowa Code, preempts and nullifies all local ordinances concerning residency restrictions or exclusionary zones for sex offenders; and,

WHEREAS, the Act preempts and nullifies Article VIII, of Chapter 70, of the Des Moines City Code which imposed residency restrictions for sex offenders.

NOW THEREFORE, 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, as amended by Ordinance No. 14,500 passed October 10, 2005, be and is hereby amended by repealing Article VIII of Chapter 70 thereof regarding residency restrictions for sex offenders.

Section 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

T. M. Franklin Cownie, Mayor

Attest:

I, Laura Baumgartner, Chief Deputy 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. 09-1468), passed by the City Council of said City at a meeting held August 10, 2009 signed by the Mayor on August 10, 2009 and published as provided by law in the

Business Record on August 24, 2009. Authorized by Publication Order No. 6635.

Laura Baumgartner, Chief Deputy City Clerk