

ORDINANCE NO. 15,191

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 amending Sections 42-346, 42-347, 42-348, 42-352, 42-353, 42-354, 42-355, 42-358, 42-359, 42-360, 42-361 and 42-364, by repealing Sections 42-349, 42-350, 42-356, 42-362 and 42-363, and by adding and enacting new Sections 42-351, 42-358.01 and 42-358.02, relating to nuisances, nuisance abatement, and notices and hearings related thereto.

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 heretofore amended, is hereby amended by amending Sections 42-346, 42-347, 42-348, 42-352, 42-353, 42-354, 42-355, 42-358, 42-359, 42-360, 42-361 and 42-364, by repealing Sections 42-349, 42-350, 42-356, 42-362 and 42-363, and by adding and enacting new Sections 42-351, 42-358.01 and 42-358.02, relating to nuisances, nuisance abatement, and notices and hearings related thereto, as follows:

ARTICLE VI. NUISANCES

Sec. 42-346. Definitions.

The definitions found in sections 42-28, 42-451 and 42-477 shall apply to the provisions of this division, provided, however, that the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abatement costs (or *costs of abatement*) are the reasonable costs incurred by the city in abating a nuisance. These costs

may include, but are not limited to, the costs for labor, police officers, equipment used, and overhead or administrative expenses.

Boat is a craft or device designed for operation on water.

Department is any city department charged with enforcement of any section enumerated in this article.

Enclosed building is any structure having exterior walls and a roof constructed in compliance with applicable ordinances that is secured against entry.

Hearing officer is the city manager or his/her designated representative.

Inoperable and/or unsafe vehicle or boat is any motor vehicle, recreational vehicle, trailer, semitrailer, or boat that meets one or more of the following criteria:

- (1) lacks a current registration or any component part, engine or parts that render it incapable of use and/or unsafe for its intended use;
- (2) with a missing, broken or shattered windshield or any exposed broken glass edges;
- (3) with a missing fender, door, hood, steering wheel, trunk top, or trunk handle;
- (4) that has become a habitat of rats, mice, snakes, or other vermin or insects;
- (5) that is left unattended on jacks, blocks, or elevated in any other way which constitutes a threat to the public health, safety or welfare;
- (6) that because of its condition or method of storage constitutes a threat to public health and safety.

Junk means all old or scrap copper, brass, lead, or any other non-ferrous metal; old rope, rags, batteries, paper, trash, rubber debris, waste, used lumber or salvaged wood; dismantled or inoperable vehicles, unsafe vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel, or other old or scrap ferrous material; old discarded glass, tinware, plastic, or old discarded household goods or hardware; cut brush, including dead or decaying plant material, except a contained compost pile or orderly stacked firewood if cut in lengths less than or equal to four feet and stored at least eighteen (18) inches above the ground surface.

Motor vehicle is a device in, upon, or by which a person or property is or may be transported or drawn upon a highway, street or waterway, with the exception of devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation an automobile, truck, trailer, motorcycle, tractor, buggy, wagon, farm machinery, or any combination thereof.

Public real property includes the public right-of-way (the area of land, the right to possession of which is secured by the city for roadway purposes and includes the traveled portion of the public streets and alleys as well as the border area, which is all property outside the lot and property lines and inside the curb lines or traveled portion of the public streets or alleys), and all other city-owned real property and improvements thereon.

Unlicensed motor vehicle or trailer is any vehicle or trailer that is not displaying a current license as required by state law. For the purposes of this article a valid current license shall not include a stored vehicle license issued under state law. Mere licensing of an inoperable or unsafe motor vehicle or trailer shall not constitute a defense to the finding that the presence of any vehicle constitutes a nuisance.

Sec. 42-347. Nuisance construed.

Whatever is injurious or dangerous to the public health, safety or welfare, including but not limited to those things or actions which are offensive to the senses, or an obstruction to the free use of property so as to unreasonably interfere with the comfortable enjoyment of life or property, or which are identified specifically as nuisances in this article, is a nuisance.

Sec. 42-348. Specifically identified nuisances.

Specifically identified nuisances include the following:

- (1) Depositing any poisonous material or substance on any real property, so as to allow access to it by any animal or person.
- (2) Depositing or storing of flammable junk on any real property, including but not limited to old rags, rope, cordage, rubber, boxes, and paper, unless it is in a building of fireproof construction.
- (3) Depositing or storing outside a completely enclosed building items that constitute a threat to the public health, safety or welfare, including but not limited to the following: old or scrap rope, rags, batteries, paper, trash, rubber debris, tires, waste, used lumber or salvaged wood, inoperable machinery or appliances or parts of such machinery or appliances, vehicular component parts, iron, steel, old or scrap household goods or hardware, cut brush or wood including dead or decaying plant material except as contained in a

compost pile or orderly stacked firewood if cut in lengths of four feet or less and stored at least eighteen (18) inches above the ground surface.

- (4) Placement, storage or abandonment of refrigerators, iceboxes or similar containers equipped with an airtight door, lid with a snap, lock or other device which cannot be released from the inside, outside any building or dwelling or within any unoccupied or unsecured building, dwelling or other structure if the door or lid is not disabled.
- (5) Depositing or storing of litter, garbage or organic waste on any real property; provided, however, that this article shall not prohibit the storage of litter, garbage or organic waste in authorized private receptacles for collection.
- (6) Any tree, shrub, wood or debris which is:
 - a. Infected with Dutch elm disease, oak wilt, or any disease that is a threat to the entire urban forest; or
 - b. Infested with emerald ash borer or Asian longhorned beetle or any insect that is a threat to the entire urban forest; or
 - c. Dead or damaged so as to constitute a threat to the public health, safety or welfare.
- (7) Any tree, shrub, or any other plant whose foliage extends over the city right-of-way in violation of section 114-14 or 122-10 of this Code.
- (8) Graffiti as is defined in division 2 of article VI of chapter 70 of this Code when placed on any surface not primarily intended for such use, except as specifically permitted therein.
- (9) Any motor vehicle, trailer or boat that is unlicensed, unsafe or inoperable found upon public or private real property, and the contents therein, which is not stored within an enclosed building. This article shall not apply to legitimate businesses operating in a lawful place and manner provided, however, that such outside areas are screened from public view and do not constitute a threat to the public health, safety or welfare.
- (10) Obstructing or encroaching by motor vehicles or otherwise upon any public or private road, street, highway, or right-of-way which causes traffic or pedestrians to cross the marked centerline or leave the usual traveled portion of the roadway, right-of-way or sidewalk to travel around the obstruction or encroachment. This article shall not apply to

emergency vehicles and official government or utility vehicles in the performance of their duties nor to other vehicles while legally maneuvering into position or momentarily engaged in receiving or discharging passengers, loading or unloading of merchandise, in obedience to traffic regulations, signs or signals, in an involuntary stopping of the vehicle by reason of causes beyond the control of the operator, or as otherwise authorized in writing by the city.

- (11) Businesses, the operation or maintenance of which adversely impacts nearby residential or commercial uses and which:
 - a. Jeopardizes or endangers the public health or safety, or the health or safety of persons residing or working on the premises or in the surrounding area;
 - b. Has resulted in or facilitated any of the following activities: disturbances of the peace, illegal drug activity including sales or possession thereof, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, illegal parking, excessive noise (particularly between the hours of 11:00 p.m. and 7:00 a.m.), noxious smells or fumes, traffic violations, or police detention, citations or arrests; or
 - c. Violates any other section of this article or any other city, state or federal regulation, ordinance or statute.
- (12) Abandonment or allowing the abandonment of property in or upon any public real property. Personal property left in or upon public real property, including but not limited to any personal and household items, furniture, appliances, machinery, equipment, building materials, or other items, shall be deemed abandoned.
- (13) Erecting or using any building or place for the exercise of any trade, employment, or manufacture, which by occasioning noxious exhalations, offensive smells, or other annoyances that constitute a threat to the public health, safety or welfare.
- (14) Emitting dense smoke, noxious fumes, or fly ash.
- (15) Causing or allowing any offal, filth, or noisome substance to be collected or to remain in any place.

- (16) Discharging sewage, garbage, or any other organic waste matter into or on any public or private real property.
- (17) Transporting garbage, night soil, or other organic filth in vehicles or containers which leak or which allow access by insects to the material being transported.
- (18) Except as permitted or authorized in writing by the city, obstructing, encroaching upon, or encumbering by fences, buildings, trees, shrubs, or otherwise any public real property, road, private way, street, alley, traffic control device, streetlight, common, landing place, or burying ground.
- (19) Obstructing or impeding, without legal authority, the passage of any navigable river, marina, or collection or body of water.
- (20) Corrupting or rendering unwholesome or impure the water of any river, stream, lake or pond, or other body of water, or unlawfully diverting such water.
- (21) Billboards, signboards, and advertising signs, whether erected and constructed on public or private real property, which so obstruct or impair the view of any portion or part of a public street, avenue, highway, boulevard, or alley or of a railroad or railway track as to render dangerous the use thereof.
- (22) Any sign or sign structure which is structurally unsafe or which constitutes a hazard to the public health, safety or welfare because of its location, inadequate maintenance or dilapidation or which is not kept in good repair or which is capable of causing an electric shock to persons likely to come in contact with it.
- (23) Any sign, sign structure, vehicle or any other property or structure which obstructs free ingress to or egress from a door, window, fire escape, or any other entrance or exit required by this Code or any other law.
- (24) Signs accessible to the general public containing obscene statements, words, or pictures. As used in this subsection, the term "obscene" means and includes any depiction or description of genitals, sex acts, masturbation, excretory functions, or sadomasochistic abuse which the average person, taking the material as a whole and applying contemporary community standards with respect to what is suitable material for minors, would find appeals to the prurient interest and is patently offensive, and the material, taken as a

whole, lacks serious literary, scientific, political, or artistic value.

- (25) Depositing or permitting to be deposited dirt, debris, or other material:
 - a. Onto public real property, except as part of a city project or city function or as otherwise permitted or authorized in writing by the city;
 - b. Into a private storm sewer or drainage way in an amount which could obstruct the flow of water in a public storm sewer or drainage way located upstream from such private storm sewer or drainage way; or
 - c. Onto public or private real property so as to obstruct or divert the natural flow of surface water causing or threatening to cause damage to a building or its contents on adjoining property.
- (26) Any discharge, directly or indirectly, of waters which collect upon private real property from subsurface or surface drainage, including but not limited to that from building footing drains:
 - a. To a point upon or so adjacent to a public sidewalk or street as to permit the waters so discharged to drain upon a public sidewalk or street during other than periods of community emergency generated by extraordinary high levels of precipitation; or
 - b. Onto adjoining real property causing or threatening to cause damage to any building, its contents, any structure, or any other thing of value on such adjoining real estate. The city engineer may require that any such discharge be connected to the public sewer system, if available, or be redirected to a discharge point which eliminates or lessens the nuisance.
- (27) The discharge of water upon or under a public street or sidewalk because of faulty water service.
- (28) Any object or structure that may be erected within 1,000 feet of the limits of any municipal or regularly established airport or landing place which may endanger or obstruct aerial navigation, including takeoff and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the object or structure is located.
- (29) The existence of any hazardous substance, as defined in section 46-92 of this Code, that has been or is being discharged or released into the environment or

that is not properly stored or labeled or that is not secured from access by the public.

Sec. 42-349. Reserved.

Editor's note--Ord. No. 15,191 repealed § 42-349 which pertained to enumeration of nuisances subject to enforcement by civil action and derived from Code 1991, § 17-1.02 and Ord. No. 13,518, and from Code 2000, § 42-349 and Ordinance Nos. 14,319 and 14,484.

Sec. 42-350. Reserved.

Editor's note--Ord. No. 15,191 repealed § 42-350 which pertained to emergency actions and derived from Code 1991, § 17-1.03 and Ord. No. 13,518, and from Code 2000, § 42-350 and Ordinance No. 14,319.

Sec. 42-351. Action to abate.

If a department determines that a nuisance exists, such nuisance may be abated and enforced against by notice as set forth in this article, and pursuant to:

- (1) A civil action brought by ordinary proceedings, with damages sustained on account thereof, the costs of abatement and civil penalties to be recovered as a personal and/or in rem judgment;
- (2) The administrative hearings described in this article, with damages and/or the cost of abatement sustained on account thereof to be recovered as an assessment to be placed against the real property and collected in the same manner as a property tax ; or
- (3) Any other action authorized by law to protect the public health, safety or welfare, including, but not limited to, injunctive relief.

Editor's note--Ord. No. 13,718 originally repealed § 42-351 which pertained to abandoned property and derived from Code 1991, § 17-1.04 and Ord. No. 13,518.

Sec. 42-352. Liability.

The owners, agents, contract buyers, tenants, or lessees of all residential dwellings, commercial establishments, or real property upon which a violation of this article is found shall be jointly and severally responsible for compliance with this

article and jointly and severally liable for any damages or costs incurred and assessed or awarded under this article.

Sec. 42-353. Rebuttable presumption.

In any proceeding charging a violation of this article, proof that the particular violation described constitutes a violation of this article, together with proof that the particular named violator was the owner, agent, tenant, or lessee of the residential dwelling, commercial establishment or real property upon which the violation occurred, shall be deemed to create a rebuttable presumption that such violator was the party violating this article. As to property abandoned in the public real property, it is presumed that the abandoned property was placed there by or with the consent of the owner, agent, tenant or lessee of the abutting property.

Sec. 42-354. Habitual violators.

Any person who is found to have violated this article three or more times within a 36-month period, at any address in the city, shall be deemed to be a habitual violator.

Sec. 42-355. Powers of department.

Department employees designated by the department director may enter onto and into open unobstructed property and structures to investigate, locate, and identify nuisances that occur in the city. Designated department employees shall have full authority to declare a condition to be a nuisance and issue appropriate notices provided for by this article and such designated employees may take such further action as required and permitted by this article. Designated department employees shall have all powers and authority necessary to cause the abatement of the nuisance in accordance with this article. If entry onto real property for the purposes described in this section is refused, an administrative search warrant may be obtained as provided in section 1-19 of this code.

Sec. 42-356. Reserved.

Editor's note--Ord. No. 15,191 repealed § 42-356 which pertained to search warrants and derived from Code 1991, § 17-3.01 and Ord. No. 13,518.

Sec. 42-358. Notices.

- (a) Notice to abate a nuisance shall be given prior to city action to abate a nuisance, except that in the event of an emergency, such notice as is practical under the circumstances, if any is practical, shall be given; provided, however, that nothing herein shall require notice in an emergency if impractical. If notice to abate a nuisance is given pursuant to this article, said notice shall contain the following information:
- (1) A description, to the extent possible, of the conditions that constitute the nuisance;
 - (2) A description of the location of the nuisance;
 - (3) A statement that the person liable for the presence of the nuisance must correct the nuisance within the reasonable time set forth in the notice and in accordance with this article; and
 - (4) A statement that upon failure to comply with this article within the time set forth in the notice, the person so notified of the violation shall be deemed liable for the nuisance, and that the city may enter onto the real property and cause the conditions which constitute the nuisance to be abated and assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing if requested or court action as applicable.
 - (5) If the department elects to follow the administrative hearing procedure set forth in this article, the notice shall also contain a statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing as set forth in section 42-358.02(b) of this article.
- (b) Notice of costs of abatement shall be given prior to city assessment of such costs. If notice of costs of abatement is given following administrative hearing procedure or emergency action pursuant to this article, said notice shall contain the following information:
- (1) A description, to the extent possible, of the conditions that constituted the nuisance;
 - (2) A description of the location of the nuisance;
 - (3) A description, to the extent possible, of the abatement actions taken by the city;
 - (4) A copy of the invoice or other documentation of costs incurred by the city in abating the nuisance; and

- (5) A statement that upon failure to make full payment as directed in the notice within the time set forth in the notice, the city may assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing if requested.
- (6) A statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing on costs of abatement only, as set forth in section 42-358.02(b) of this article.

Sec. 42-358.01. Service of notice.

Notices given pursuant to this article shall be served by certified mail and regular mail, postage prepaid, to all persons deemed responsible for the violation, and to all other parties required by law or by departmental policy or procedure to receive such notices, at their last known mailing addresses as shown by the records of the county auditor, and if deemed appropriate by the department director or his/her designee, also at their last known mailing addresses as shown by any other available public record. In addition to and concurrently with mailing, notice may be delivered by a peace officer, process server, or any other method deemed appropriate. Failed attempts to locate the person responsible for the violation shall be documented by the department.

Sec. 42-358.02. Administrative hearings.

- (a) Recipients of notices pursuant to this article are not entitled to administrative hearings, and administrative hearings shall not be held, if the department elects to solely bring civil action to abate the nuisance and collect costs for abatement rather than to follow the administrative hearing procedure, as stated in the notice.
- (b) Recipients of notices pursuant to this article for which the department elects to follow the administrative hearing procedure, as stated in the notice, may request an administrative hearing as follows:
 - (1) Requests shall be made in writing, and either hand-delivered to the city clerk no later than seven (7) calendar days from the date of the notice, or sent to the city clerk via regular mail postmarked by official U.S. postal service cancellation and not by postage

meter no later than seven (7) calendar days from the date of the notice.

- (2) Each request for hearing shall contain the name, address, electronic mail (e-mail) address, and daytime telephone number of any person requesting a hearing and of any attorney and/or agent duly authorized by the person who has received the notice to represent him/her at the hearing.
 - (3) Each request for hearing shall set out the requester's basis for the appeal.
 - (4) Failure to request a hearing within seven (7) calendar days from the date of the notice shall be deemed a waiver of the right to contest the validity of the determination of nuisance and/or determination of costs stated in the notice, as applicable. The information set forth in the notice will be deemed to be valid and abatement and/or assessment of abatement costs will proceed as indicated in the notice.
- (c) All administrative hearings requested in compliance with this section shall proceed as follows:
- (1) Shall be scheduled by the city clerk to occur as soon as practical following the date of the notice.
 - (2) Shall be held before a hearing officer and be conducted informally. The department and the person in receipt of the notice may be represented by counsel or duly authorized agent, and examine witnesses, and present evidence.
 - (3) The person requesting the hearing shall be notified in writing by regular mail or by electronic mail (e-mail), or by phone of the date and time for the hearing at least three (3) business days in advance thereof.
 - (4) For hearings following notice to abate a nuisance, the hearing officer shall either find that a nuisance exists, or void or reverse the notice. If the hearing officer finds that a nuisance exists and evidence of plans for abatement are presented at the hearing by the recipient of the notice, the hearing officer may grant additional reasonable time for the abatement of the nuisance by the recipient of the notice prior to city abatement of the nuisance.
 - (5) For hearings following notice of costs of abatement, the hearing officer shall either uphold the amount billed, reduce the amount billed, or waive the costs, and shall not determine any other issue relating to the nuisance abatement including but not limited to any issue that may have been raised at a hearing

following notice to abate a nuisance. Any costs not waived by the hearing officer may be assessed against the real property for collection in the same manner as a property tax.

- (d) The determination of the hearing officer shall be in writing, including findings of fact, and is the final administrative decision of the city.
 - (1) Any party aggrieved by the determination of the hearing officer pursuant to this article may challenge whether the officer exceeded proper jurisdiction or otherwise acted illegally by commencing a certiorari action in the district court for Polk County, Iowa. The petition to initiate a certiorari action must be filed within thirty (30) days after the entry of the final determination unless an extension of time is allowed by the reviewing court pursuant to Division XIV of the Iowa Rules of Civil Procedure. The city manager is hereby authorized to initiate a certiorari on behalf of the city when the city manager, in consultation with the city attorney, deems it necessary and appropriate.
 - (2) The filing of an action in the district court challenging the determination of the hearing officer does not automatically stop the city from taking action pursuant to such determination. Unless the city has been served with an order from the district court directing otherwise, the city may proceed with enforcement of a determination.
- (e) Request for an administrative hearing does not stay an action by the city for alternative relief as allowed by law.

Sec. 42-359. Nuisances enforced by civil action.

Notices pursuant to this article for which the department elects to proceed by civil action shall be served in the manner set forth in section 42-358.01 of this code, and shall contain all information set forth in section 42-358(a) of this code as well as a statement that the city may file a civil action and seek a court order relating to the existence, abatement, and recovery of abatement costs of the nuisance.

Sec. 42-360. Emergency actions.

If the department determines that a nuisance exists which constitutes an emergency requiring immediate abatement, the city

may perform any emergency action necessary to abate the nuisance without prior notice or abatement hearing.

Sec. 42-361. Abandoned property within public real property.

- (a) Property left in or upon public real property, including but not limited to any personal and household items, furniture, appliances, machinery, equipment, building materials or other items, shall be deemed abandoned and is hereby declared a nuisance. Property left in or on public real property as a result of an eviction or a forcible entry and detainer action shall be deemed abandoned and is hereby declared a nuisance.
- (b) The abutting property owner is required to maintain all property outside their lot lines and property lines and inside the curb lines or the traveled street surfaces. Any items which create an obstruction of the public right-of-way or sidewalk, and any items within the traveled portion of the public right-of-way or sidewalk, and items which remain on the untraveled portion of public right-of-way or any untraveled road or alley for a period of 48 hours, shall be deemed abandoned and to constitute a nuisance subject to removal from the real property by the city with or without notice.
- (c) The department may abate the nuisance and remove abandoned personal property from public real property and assess costs thereof by administrative hearing process or court action, as determined by the department director or his/her designee. In the alternative, the department may remove the personal property from the public real property and dispose of or use the personal property in any manner that the department so chooses, without notice or assessment of costs.
- (d) It shall not be a defense to this article that the public works department of the city has been contacted for a bulk waste pick up, if the items were placed on the curb or right-of-way prior to the pick up date assigned by the public works department.

Sec. 42-362. Reserved.

Editor's note--Ord. No. 15,191 repealed § 42-362 which pertained to hearings to contest notice of violation and derived from Code 1991, § 17-4.04 and Ord. Nos. 13,518 and 13,718, and from Code 2000, § 42-362 and Ordinance No. 14,319.

Sec. 42-363. Reserved.

Editor's note--Ord. No. 15,191 repealed § 42-363 which pertained to hearings regarding cost of abatement and derived from Code 1991, § 17-5 and Ord. Nos. 13,518, 13,718, 13,648, 13,718, and from Code 2000, § 42-363 and Ordinance Nos. 13,900, 13,941, 13,993 and 14,319.

Sec. 42-364. Civil actions; alternative relief.

- (a) Any person who fails to perform an act required by this article or who commits an act prohibited by this article shall be guilty of a municipal infraction punishable by a civil penalty as provided by section 1-15 of this Code.
- (b) Proceeding with the administrative hearing, civil action, or emergency action as authorized in this article does not preclude the city from seeking alternative relief from a court in the same action or as a separate action, including but not limited to an order for abatement or injunctive relief.
- (c) In addition to other remedies set forth in this article, when it is determined by the department that a nuisance exists and/or that a person is a habitual violator, the city may file a civil action in the district court seeking an order enjoining the person from further violation of this article on real property owned or controlled by such person or real property where such person acts as an agent, tenant, or lessee of any residential dwelling, commercial establishment and/or real property within the city. The city may further request that upon entry of the injunction the court allow the city to abate further violations without notice and/or seek an order of contempt.

Secs. 42-365--42-390. Reserved.

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

FORM APPROVED:

Glenna K. Frank, 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. 13-0917), passed by the City Council of said City at a meeting held June 10, 2013 signed by the Mayor on June 10, 2013 and published and provided by law in the Business Record on June 28, 2013. Authorized by Publication Order No. 8249 .

Diane Rauh, City Clerk