

ORDINANCE NO. 15,828

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 Section 70-36, relating to disturbing peace or quiet.

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 Section 70-36 relating to disturbing peace or quiet, as follows:

Sec. 70-36. Disturbing peace or quiet.

- (a) No person shall act with a purpose, or with willful or wanton disregard, to disturb or aid in disturbing the peace, quiet or good order of or disrupt or aid in disrupting any person or assembly, place or meeting, public or private, by doing any of the following:
 - (1) An act of violence or by any act likely to produce violence or by engaging in fighting, threatening or tumultuous behavior except that participants in athletic contests may engage in such conduct which is reasonably related to that sport,
 - (2) By making any unreasonably loud noise to cause public inconvenience, annoyance or alarm, or recklessly creating a risk of public inconvenience, annoyance or alarm,
 - (3) By addressing abusive language, threats, or gestures to any person present which the person knows or reasonably should know is likely to provoke a violent reaction by another,
 - (4) Without lawful authority or color of authority, otherwise engage in conduct intended to disrupt a lawful assembly or meeting of persons.
- (b) Nothing contained in subsection (a) of this section shall be held to prohibit peaceful picketing, public speaking, the ordinary conduct of a legitimate business, or other lawful expressions of opinion not in contravention of other laws.

State law reference(s)--Similar provisions, I.C. § 723.4.

Section 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, P. Kay Cmelik, 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. 19-1855), passed by the City Council

of said City at a meeting held November 18, 2019 signed by the Mayor on November 18, 2019 and published and provided by law in the Business Record on December 6, 2019. Authorized by Publication Order No. 10955.

P. Kay Cmelik, City Clerk