

ORDINANCE NO. 15,969

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 42-259, relating to motorized vehicles.

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, by amending Section 42-259, relating to motorized vehicles, as follows:

Sec. 42-259. Motorized vehicles.

....

- (e) No person operating or in control of a garbage truck or other motor vehicle engaged in the business of solid waste collection, shall use such vehicle to pick up or empty a dumpster or other container used for the collection or storage of solid at any location in, or within 150 feet of, a zoning district or portion of a PUD district that includes a residential use, between the hours of 7:00 p.m. and 6:00 a.m. the following morning, subject to the following:
- (1) Trash pickup at elementary and secondary schools and hospitals is exempt from this requirement.
 - (2) The city manager or the city manager's designee may grant an exception to this limitation on the timing of trash pickup where such exception is necessary to avoid an unreasonable risk of harm created by the unusual circumstances of the site. Any such exception may be subject to reasonable conditions imposed to minimize the detrimental impact of granting such exception, and shall be subject to reconsideration in the event of changed circumstances.

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

FORM APPROVED:

Judy K. Parks-Kruse, Assistant City Attorney

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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. 21-0139), passed by the City Council of said City at a meeting held on January 25, 2021 and signed by the Mayor on January 25, 2021 and published and provided by law in the Business Record on February 12, 2021. Authorized by Publication Order No. 11387.

P. Kay Cmelik, City Clerk