

ORDINANCE NO. 16,127

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 42-246 and 42-258, relating to noise control, sound equipment, sound amplifying equipment and construction equipment.

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

Section 1. That Sections 42-246 and 42-258, relating to noise control, sound equipment, sound amplifying equipment and construction equipment of 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 amended, by adding the following subsections:

Sec. 42-246. Definitions.

....

“*Sound violation*” means readings taken at the LCFmax that exceed the permitted level of amplified noise.

Sec. 42-258. Sound equipment, sound amplifying equipment and construction equipment.

....

(17) *Type” Q” Permit – 900 Mulberry Street.* A type “Q” permit may be issued for sound equipment at 900 Mulberry Street, registering not more than 90 dBCs for up to six times in a calendar year and registering not more than 85 dBCs for up to 18 times in a calendar year measured at the real property boundary. Within any calendar month, no more than six permits may be granted with no more than two of those permits allowing readings up to 90 dBCs. The permits will be effective between the hours of 9:00 a.m. to 10:00 p.m. Sunday through Thursday and between the hours of 9:00 a.m. to 11:00 p.m. on Friday and Saturday. The amplified sound will not be the primary purpose of the event and the description of the event will be provided with the permit application. The event coordinator and/or the production company will provide notice to the adjacent residents detailing the type of event, the time frame of the event and contact names of persons responsible for the event as set out on the permit application. All speaker systems shall face SW 9th Street. The promoter or event coordinator shall have a sound level meter and comply with section 42- 258 (e) of this article. The event coordinator and/or the production company shall provide the adjacent residents or their designated representative the

sound level meter readings within three (3) business days after the readings are requested.

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

FORM APPROVED:

Gary D. Goudelock Jr., 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. 22-0805), passed by the City Council of said City at the meeting held on May 23, 2022, and signed by the Mayor on May 23, 2022, and published and provided by law in the Business Record on June 10, 2022. Authorized by Publication Order No. 11919.

P. Kay Cmelik, City Clerk