

## ORDINANCE NO. 16,469

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, is hereby amended, by amending Chapter 134, Sections 3.10.6 and 3.10.7, relating to allowing place of worship uses to accommodate unhoused populations under temporary accessory uses.

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 Chapter 134, Sections 3.10.6 and 3.10.7, relating to allowing place of worship uses to accommodate unhoused populations under temporary accessory uses, as follows:

### **Article 3. USES**

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### **134-3.10 TEMPORARY USES**

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#### **3.10.6 CAMPING**

Subject to the approval process set forth in this Article, camping is allowed as a temporary accessory use on lots occupied by any principal Place of Worship use.

The neighborhood services director is authorized to impose conditions on the temporary camping use necessary to mitigate adverse impacts or protect the health, safety, and welfare of the campers, adjoining property owners, and the general public. In addition to the conditions authorized by Section 134-3.10.3, the neighborhood services director may impose conditions related to the following:

- A. Sanitation, including, but not limited to: trash removal; toilets; shower, hand-washing, or other hygiene facilities; and recycling or garbage facilities;
- B. Areas where tents may be set up and space requirements for each tent;
- C. Size limitations for tents or occupancy limits for each tent;
- D. How long the temporary camping use may be permitted;

Items in subsections A – D above are merely illustrative and are not meant to be interpreted as required conditions the neighborhood services director must impose nor be interpreted as exhaustive or otherwise place limitations on the type of conditions the neighborhood services director is authorized to impose on this temporary use.

#### **3.10.7 EMERGENCY SHELTER – PLACE OF WORSHIP**

- A. Notwithstanding any other provision of this code to the contrary, including specifically section 134-3.3.2(E), any principal structure with a Place of Worship use categorization may be used as a temporary emergency shelter if any of the following conditions exist:

1. The Mayor of the City of Des Moines, the Iowa Governor, or the United States President or any other person possessing and exercising necessary authority issues an Emergency Declaration for the area containing the structure;
  2. The wind chill factor as measured at the Des Moines International Airport is: less than 10 degrees Fahrenheit (-12.2222 degrees Celsius) for three or more consecutive days; less than 5 degrees Fahrenheit (-15 degrees Celsius) for two or more consecutive days; or less than 0 degrees Fahrenheit (-17.7778 degrees Celsius) for one or more days.
  3. The heat index as measured at the Des Moines International Airport is greater than 95 degrees Fahrenheit (35 degrees Celsius) and/or 2 consecutive days in which the heat index does not fall below 75 degrees (23.8889 degrees Celsius) at night.
- B. Whenever a temporary emergency use is authorized under subsection A, above, the use may continue so long as the qualifying condition continues.
- C. Whenever a temporary emergency use is authorized under subsection A, above, the use is not required to request or receive approval under section 134-3.10.2(A).
- D. The neighborhood services director or their designee is authorized to direct the termination of any temporary emergency shelter use under this section if such use presents an imminent threat to the health, safety, or welfare of the structure being used or the occupants thereof, any neighboring persons or property, or the general public.
- E. The neighborhood services director may impose any conditions on such temporary emergency shelter use they deem necessary to mitigate potential adverse impacts or protect the health, safety, and welfare of occupants, structures, or the general public.

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

FORM APPROVED: Chas M. Cahill, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, 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. 25-0788), passed by the City Council of said City at the meeting held on May 19, 2025 and signed by the Mayor on May 19, 2025 and published and provided by law in the Business Record on June 6, 2025. Authorized by Publication Order No. 13026.

Laura Baumgartner, City Clerk