

★ Roll Call Number

Agenda Item Number

18

Date January 5, 2009

Request from Civic Center of Greater Des Moines, to implement an ordinance prohibiting resale of tickets for admission to a place of entertainment.

Moved by \_\_\_\_\_ to receive, file and refer to City Manager and City Legal for review and recommendation.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



REPLY TO DES MOINES OFFICE

December 29, 2008

Diane Rauh, City Clerk  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309-1891

RE: PROPOSED TICKET ORDINANCE PROHIBITING  
RESALE OF TICKETS FOR ADMISSION TO A  
PLACE OF ENTERTAINMENT

Dear Ms. Rauh:

On behalf of the Civic Center of Greater Des Moines we hereby request that the attached proposed Ticket Ordinance relating to resale of tickets for admission to a place of entertainment be placed on the Des Moines City Council Agenda for the Monday, January 5, 2009 meeting to be considered by the Council.

Mr. Jeff Chelesvig, President and CEO of the Civic Center of Greater Des Moines and the undersigned will be present to answer any questions that may come up.

We are taking the liberty of sending a copy of this Proposed Ticket Ordinance and this request for being on the Council Agenda to Mr. Bruce Bergman, City Legal Counsel, who is familiar with the proposal. Please feel free to contact the undersigned concerning any further questions.

Thank you for your consideration.

Sincerely yours,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

Stephen W. Roberts

John D. Shors  
Stephen W. Roberts  
William R. King  
Robert F. Holz, Jr.  
Robert A. Gamble  
Michael G. Kulik  
Frank J. Carroll  
Bruce I. Campbell  
Jonathan C. Wilson  
Steven L. Nelson  
David B. VanSickel  
Gene R. La Suer  
Deborah M. Tharnish  
Kent A. Herink  
Robert J. Douglas, Jr.  
Mark D. Walz  
Gary M. Myers  
Stanley J. Thompson  
David A. Tank  
David M. Erickson  
Lori Torgerson Chesser  
Jo Ellen Whitney  
Becky S. Knutson  
Julie Johnson McLean  
Beverly Evans  
Margaret Van Houten  
Christopher P. Jannes  
Sharon K. Malheiro  
Kris Holub Tilley  
William A. Boatwright  
Thomas J. Houser  
Kendall R. Watkins  
Scott M. Brennan  
Debra Rectenbaugh Pettit  
Matthew E. Laughlin  
Judith R. Lynn Boes  
William P. Kelly  
Susan J. Freed  
Jason M. Ross  
Jason M. Stone  
Amy M. Landwehr  
Denise R. Claton  
John C. Pietila  
Emily E. Harris  
B. J. Miller  
Jeffrey D. Ewoldt  
Jodie L. Clark  
John S. Long  
Tara Z. Hall  
Charles N. Wittmack  
Courtney Strutt Todd  
Scott D. Mikkelsen  
Kelly A. Deters  
Amber K. Rutledge  
Nichole Miras Mordini  
Krystle L. Campa  
Sarah K. Franklin  
Victoria P. Nwasike  
M. Michelle Lickteig

Intellectual Property  
Kent A. Herink  
Emily E. Harris

Of Counsel  
Donald J. Brown  
C. Carleton Frederici  
A. J. Greffenus  
Dennis D. Jerde  
William J. Koehn  
Joseph M. Pawlosky  
Richard E. Ramsay  
Thomas E. Salsbery  
Neal Smith  
William D. Thomas

A. Arthur Davis  
1928-1997

#1630716  
DAVIS BROWN KOEHN SHORS & ROBERTS P.C.

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Diane Rauh, City Clerk  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309-1891  
December 29, 2008  
Page 2

SWR/tmb  
Attachment

cc: Bruce Bergman, City Legal Council  
Jeff Chelesvig, President & CEO, Civic Center of Greater Des Moines  
Judy Winkelpack, Chief Operating Officer & Vice President, Civic Center of Greater  
Des Moines

**PROPOSED DRAFT OF TICKET ORDINANCE**

**Sec. \_\_\_\_** *Prohibition Against Resale of Tickets for Admission to a Place of Entertainment*

- (a) “Place of Entertainment” shall include the following designated locations: Civic Center of Greater Des Moines; Des Moines Area Community College Auditorium; The Des Moines Playhouse; Drake Knapp Center; Drake Sheslow Auditorium; Drake Stadium; Hoyt Sherman Place; Iowa State Fair Grandstand; Principal Park; Science Center of Iowa; Temple for Performing Arts; Wells Fargo Arena; Veterans Memorial Auditorium; or similar venues where the anticipated crowd is approximately 200 persons or more provided however that a “Place of Entertainment” shall not include public or private secondary schools.
- (b) Tickets for admission to a place of entertainment may not be offered for resale within 500 feet of the physical structure where the ticket will be used. This prohibition shall also apply to attempted resales to occupants of vehicles and shall be in effect regardless of whether the person attempting to sell the ticket is doing so on public or private property.
- (c) Any person who commits an act prohibited by this section shall be guilty of a simple misdemeanor punishable by a fine of no less than \$65 and no more than \$500.