



Roll Call Number

Agenda Item Number

47

Date March 24, 2008

An Ordinance entitled, "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, and amended by Ordinance No. 14,746 passed February 25, 2006 by adding and enacting new paragraphs (6), (7) and (8) to Section 42-258(E) thereof, relating to sound equipment and sound amplifying equipment",

presented.

(Council Communication No. 08-166)

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Douglas P. Philip
Assistant City Attorney

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

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.

City Clerk

ORDINANCE NO. _____

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, and amended by Ordinance No. 14,746 passed February 25, 2006 by adding and enacting new paragraphs (6), (7) and (8) to Section 42-258(E) thereof, relating to sound equipment and sound amplifying equipment.

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, and amended by Ordinance No. 14,746 passed February 25, 2008 is hereby amended adding and enacting new paragraphs (6), (7) and (8) to Section 42-258(E) thereof, relating to sound equipment and sound amplifying equipment; as follows:

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

(E) *Application standards.* The following are general standards for the type of permit:

(6) Type "F" permit - Simon Estes Riverfront Amphitheater. A Type "F" permit may be issued for sound equipment to be used in the Simon Estes Riverfront Amphitheater in conjunction with a lease agreement entered into with the Parks and Recreation Department, emitting music or human speech, registering not more than 100 dBAs, when measured at the middle cement crosswalk area of the amphitheater. This permit is effective between the hours of 9:00 a.m. to 10:00 p.m. Sunday through Thursday and 9:00 a.m. to 12:00 midnight on Friday and Saturday.

(7) Type "G" permit - special event live performances. A Type "G" permit may be issued for sound amplification equipment to be used for live performances at events that require either a street use permit or a contract for use of public property, emitting music or human speech, registering not more than 100 dBAs when measured 50 feet from the amplification equipment. Amplification permitted under a type "G" permit will be issued for one

or two days in succession. This permit is effective between the hours of 9:00 a.m. to 10:00 p.m. Sunday through Thursday and 9:00 a.m. to 12:00 midnight on Friday and Saturday.

- (8) Type "H" permit - farmer's market. A Type "H" permit may be issued to farmer's markets which have a street closure for sound amplification equipment allowing music up to 85 dBAs for the duration of the street closure

Sec. 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