

★ Roll Call Number

Agenda Item Number

47

Date May 21, 2012

Request from Council Member Brian Meyer, to discuss Administrative Hearing Officer appeals.

Moved by \_\_\_\_\_ to receive and file comments, and refer to the City Manager and City Attorney to draft language for changes to the Municipal Code.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

May 21, 2012

Honorable Mayor and Fellow Council Members:

In recent months various appeals from administrative hearings and staff decisions have appeared before us. In the past we discussed the possibility of removing the language from City Code allowing appellants to appear before the Council and instead to allow them to proceed directly from the Administrative Hearing Officer or staff to an appeal to the District Court. This is how it is done at the State level under Iowa Code Chapter 17A.

I believe we should consider direct appeal to district court for the following hearings:

- Impoundment or disposition of vicious dogs
- Seizure, impoundment or disposition of illegal animals
- Determination that an animal is a dangerous animal
- Impoundment of vehicles
- Denial of limousine license
- Denial of taxi cab license

I recommend that we refer this to the City Manager and the City Attorney to draft language for changes to the City Code.

Sincerely,



Brian Meyer



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1949, 1976, 1981  
2003