



Roll Call Number

Agenda Item Number

42A

Date March 25, 2013

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, as heretofore amended, is hereby amended by amending Sections 134-3 and 134-842, relating to the regulation of lawn mower and small engine repair shops",

presented.

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

FORM APPROVED:

(First of three required readings)

Michael F. Kelley
Assistant City Attorney

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

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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, as heretofore amended, is hereby amended by amending Sections 134-3 and 134-842, relating to the regulation of lawn mower and small engine repair shops.

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 Section 134-3 to add a definition for "small engine", and by amending paragraph (vv) of subsection (2) of Section 134-842, relating to the regulation of lawn mower and small engine repair shops, as follows:

Sec. 134-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Small engine means a motor used to power home tools and equipment including generators, lawnmowers and other outdoor power tools producing an average output that ranges around 25 horsepower, which is usually powered by gasoline and that varies in size, shape and compression process depending on its configuration.

Sec. 134-842. Principal permitted uses.

Only the following uses of structures or land shall be permitted in the C-1 neighborhood retail commercial district.


- (1) Any use permitted in and as limited in the C-0 and R-4 districts.
- (2) Retail business or service establishments such as the following:

vv. Lawn mower and small engine repair shops, provided that any runup or testing of engines shall take place within the shop building.

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

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney