

★ Roll Call Number

Agenda Item Number

50

Date November 4, 2019

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, by amending Section 70-36, relating to disturbing peace or quiet",

which was considered and voted upon under Roll Call No. 19- 1637 of October 14, 2019; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, P Kay Cmelik 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

19-1637
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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, by amending Section 70-36, relating to disturbing peace or quiet.

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 70-36 relating to disturbing peace or quiet, as follows:

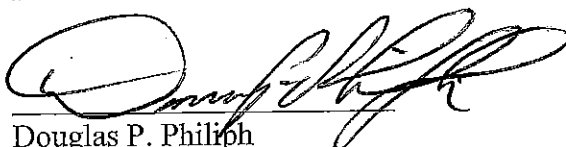
Sec. 70-36. Disturbing peace or quiet.

- (a) No person shall act with a purpose, or with willful or wanton disregard, to disturb or aid in disturbing the peace, quiet or good order of or disrupt or aid in disrupting any person or assembly, place or meeting, public or private, by doing any of the following:
- (1) ~~a~~An act of violence or by any act likely to produce violence or by engaging in fighting, threatening or tumultuous behavior except that participants in athletic contests may engage in such conduct which is reasonably related to that sport,
 - (2) ~~or b~~By making any unreasonably loud noise to cause public inconvenience, annoyance or alarm, or recklessly creating a risk of public inconvenience, annoyance or alarm,
 - (3) ~~or b~~By addressing abusive language, or threats, or gestures to any person present which the person knows or reasonably should know is likely to provoke a violent reaction by another, creates a clear and present danger of violence.
 - (4) Without lawful authority or color of authority, otherwise engage in conduct intended to disrupt a lawful assembly or meeting of persons.
- (b) Nothing contained in subsection (a) of this section shall be held to prohibit peaceful picketing, public speaking, the ordinary conduct of a legitimate business, or other lawful expressions of opinion not in contravention of other laws.

State law reference(s)--Similar provisions, I.C. § 723.4.

Section 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