

★ **Roll Call Number**

Agenda Item Number

47

Date November 18, 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 for the first time under Roll Call No. 19- 1637 of October 14, 2019, and considered and voted upon for the second time under Roll Call No. 19- 1753 of November 4, 2019, again presented.

Moved by _____ that this ordinance do now pass.

ORDINANCE NO. _____

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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

Acting City Clerk



Roll Call Number

19-1753

47

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 Gatto 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	7			
MOTION CARRIED			APPROVED	

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.

M. Franklin Cownie Mayor

P Kay Cmelik City Clerk

19-1753 19-1637
54
47-50

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:

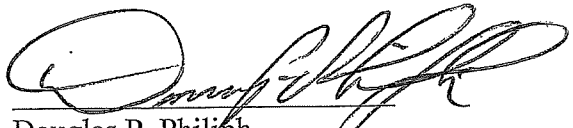
Sec. 70-36. Disturbing peace or quiet.

- (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

19-1753

★ Roll Call Number

19-1637

Agenda Item Number

54 50
47

Date October 14, 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",

presented.

Moved by Gatto 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	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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

 Acting City Clerk

ORDINANCES – ~~SECOND~~ ^{FINAL} CONSIDERATION

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1. On vacation of subsurface rights and air rights in portions of E. 4th Street and E. Grand Avenue right-of-way adjoining 418 E. Grand Avenue.