

★ **Roll Call Number**

Agenda Item Number

57

Date January 25, 2021

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 42-259, relating to motorized vehicles",


(Council Communication No. 21-040)

presented.

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

FORM APPROVED:

(First of three required readings)



 Judy K. Parks-Kruse
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
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

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 42-259, relating to motorized vehicles.

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, by amending Section 42-259, relating to motorized vehicles, as follows:


Sec. 42-259. Motorized vehicles.

....

- (e) No person operating or in control of a garbage truck or other motor vehicle engaged in the business of solid waste collection, shall use such vehicle to pick up or empty a dumpster or other container used for the collection or storage of solid at any location in, or within 150 feet of, ~~an zoning R-district~~ or portion of a PUD district ~~restricted to~~ that includes a residential use, between the hours of 7:00 p.m. and 6:00 a.m. the following morning, subject to the following:
 - (1) Trash pickup at elementary and secondary schools and hospitals is exempt from this requirement.
 - (2) The city manager or the city manager's designee may grant an exception to this limitation on the timing of trash pickup where such exception is necessary to avoid an unreasonable risk of harm created by the unusual circumstances of the site. Any such exception may be subject to reasonable conditions imposed to minimize the detrimental impact of granting such exception, and shall be subject to reconsideration in the event of changed circumstances.

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

FORM APPROVED:



 Judy R. Parks-Kruse
 Assistant City Attorney

★ **Roll Call Number**

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57-I

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Requests to speak as follows:

- (A) Brittany Ruland.
- (B) Adam Callanan.
- (C) James Grimm.
- (D) Denver Foote.
- (E) Paden Sheumaker.
- (F) Jaylen Cavil.
- (G) Molly Arndt.
- (H) Luiz Gomez.
- (I) Emily Gibson.
- (J) Holly Herbert.
- (K) Luke Bascom.
- (L) Giovanni Bahena.
- (M) Leah Plath.

Moved by _____ to receive and file.

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

 Mayor

 City Clerk