



Roll Call Number

Agenda Item Number

5

Date.....October 8, 2025.....

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 Section 102-410, offense and fine related to prohibited camping",

which was considered and voted upon under Roll Call No. 25-1361 of September 29, 2025; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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, is hereby amended, by amending Section 102-410, offense and fine related to prohibited camping.

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 102-410, as follows:

Sec. 102-410. Offense and Fine.

- (a) It is the City Council's intent that this Article shall be utilized for compliance purposes to discourage non-compliant behavior and not as a general enforcement mechanism.
- (b) A person who is not a minor and who fails to comply with sections 102-407 or 102-408 commits a simple misdemeanor, punishable by a fine of \$15.00 and specifically excludes imprisonment.
- ~~(c) For any criminal offense under sections 102-407 or 102-408, it shall be an affirmative defense if space is unavailable or impracticable in a shelter within the City of Des Moines or the person cannot afford the fine.~~
- (cd) For any person who fails to comply with sections 102-407 or 102-408, prior to carrying out those sections, a police officer shall offer a one-time transport as time allows to the shelter location or provide directions to the shelter location. A person who refuses to accept the shelter space offered and fails to comply with this Article shall be deemed to be in non-compliance of sections 102-407 or 102-408 as applicable.

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

FORM APPROVED:

/s/ Thomas G. Fisher Jr.

Thomas G. Fisher Jr.
Deputy City Attorney

**Roll Call Number**25-1361**Agenda Item Number**83A

5

Date September 29, 2025

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 Section 102-410, offense and fine related to prohibited camping",

presented.

Moved by Gatto that this ordinance be
considered and given first vote for passage. Second by
Westergaard.

FORM APPROVED:

(First of three required readings)

/s/ Thomas G. Fisher Jr.

Thomas G. Fisher Jr.

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON		✓		
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM		✓		
GATTO	✓			
TOTAL	5	2		
MOTION CARRIED			APPROVED	

Connie Boesen

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner

City Clerk