



Roll Call Number

20-0842

Agenda Item Number

35

Date May 18, 2020

RESCINDING CURRENT SCHEDULE OF ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF CHAPTER 46, FIRE PREVENTION AND PROTECTION, AND APPROVING AND ADOPTING AN UPDATED SCHEDULE OF ADMINISTRATIVE PENALTIES

WHEREAS, Municipal Code Chapter 46 presents various requirements and prohibitions for City residents and businesses to comply with the Fire Prevention and Protection Code; and

WHEREAS, Section 46-5 of the Municipal Code provides for the giving of an administrative notice of violation and assessment of an administrative penalty for violations of Chapter 46, the amounts of which administrative penalties are to be set in a Schedule of Administrative Penalties adopted by the City Council by resolution; and

WHEREAS, on August 20, 2007 by Roll Call No. 07-1634, the City Council approved a Schedule of Administrative Penalties for certain violations of Chapter 46, Fire Prevention and Protection; and

WHEREAS, on February 10, 2020, by Roll Call No. 20-0262, the City Council adopted Ordinance No. 15,860, providing for a comprehensive updating of Chapter 46; and

WHEREAS, an updated Schedule of Administrative Penalties has been prepared for Council consideration and is recommended for adoption, which Schedule of Administrative Penalties is appended hereto and is now on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA that the current Schedule of Administrative Penalties for violations of Chapter 46 are hereby rescinded and the Schedule of Administrative Penalties appended hereto and by this reference hereto is hereby approved and adopted.

BE IT FURTHER RESOLVED that said Schedule of Administrative Penalties shall be maintained on file in the offices of the City Clerk and the Fire Department for public reference, and that the fees therein established shall become effective upon and as of May 19, 2020.

(Council Communication No. 20- 211)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J.M. Franklin Cownie 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.

P. Kay Cmelik

City Clerk