



Roll Call Number

22-1205

Agenda Item Number

EX. 1

Date July 18, 2022

**DIRECTING CITY ATTORNEY TO RESEARCH AND PROVIDE COUNCIL
CONFIDENTIAL ADVICE REGARDING THE LEGAL ABILITY OF THE CITY TO
REGULATE CERTAIN HOME-BASED SALES**

WHEREAS, several Council Members have received complaints regarding the potential home occupation use of gun dealer sales in particular locations throughout the City; and

WHEREAS, recent laws have been enacted that directly limit or prohibit a city's ability to regulate home-based businesses in Iowa in certain circumstances; and

WHEREAS, the City Council wishes to direct the City Attorney or his designee to research and provide advice to Council regarding the impact of the aforementioned legislation in determining how best to protect the residential nature of the City's neighborhoods.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the City Attorney or designee is hereby directed to research and report back to Council regarding the City's authority and ability to regulate certain home-based businesses prior to the next Council meeting.

Moved by Mandelbaum to adopt.

Second by Boesen.

Sponsors: Mayor Cownie and Council Member Mandelbaum.

Approved as to Form:

Jeffrey D. Lester, City Attorney



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

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

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.

Laura Baumgartner

Acting City Clerk