

ORDINANCE NO. 13,736

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, by repealing Sections 23-20, 23-20.05 and 23-20.07 thereof and enacting new Sections 23-20, 23-20.05 and 23-20.07, relating to sidewalk sales.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, is hereby amended by repealing Sections 23-20, 23-20.05 and 23-20.07 thereof and enacting new Sections 23-20, 23-20.05 and 23-20.07, relating to sidewalk sales, as follows:

**23-20. DEFINITION.**

Unless otherwise expressly stated or the context clearly indicates a different intention, the following term shall, for the purposes of this subchapter have the meaning in this section.

"**Sidewalk Sale**" means the offering of merchandise for sale to the public by any person, persons or organization when such merchandise is displayed on a portion of, or entirely on a public sidewalk or public place not designed for vehicular traffic.

**23-20.05. DURATION OF PERMIT.**

(a)The sidewalk sale permit shall be issued in the name of the individual or sponsoring organization and contain the date(s) of the sale and shall be valid for one sale not to exceed five consecutive days.

(b)No more than three (3) sidewalk sale permits may be issued for any location in any twelve (12) month period.

**23-20.07. CONDUCT OF SALE.**

A sidewalk sale permittee as well as all agents, employees or representatives, shall comply with the following provisions in conducting a sale:

(a)No person shall conduct a sidewalk sale from 10:00 P.M. until 8:00 A.M. the following day;

(b)No person shall erect booths, tables or display merchandise in such a manner so as to block pedestrian or vehicular traffic;

(c)No person shall conduct a sidewalk sale without the cooperation, participation or permission of the person whose permanent business is located immediately adjacent to the sidewalk sale;

(d)No person shall leave his or her merchandise, booths, tables or display cases on the site of the sale after 10:00 P.M. regardless of the fact that the sale may continue the following day at 8:00 A.M.

(e)No person shall sell merchandise of a type that is not originally sold by the permanent business located immediately adjacent to the sidewalk sale.

(f)No person shall sell food, beverage or provide entertainment.

Sec. 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

Christopher J.  
Coleman, Mayor Pro  
Tem

Attest:

I, Diane Rauh, Chief Deputy City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 99-2409), passed by the City Council of said City at a meeting held August 2, 1999, signed by the Mayor Pro Tem August 2, 1999, and published as provided by law in the Business Record on August 16, 1999. Authorized by Publication Order No. 6216.

Diane Rauh, Chief  
Deputy City Clerk