

ORDINANCE NO. 13,944

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, by repealing Sections 78-103, 78-104 and 78-105 thereof and enacting new Sections 78-103, 78-104 and 78-105, relating to solicitation of funds.

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, is hereby amended by repealing Sections 78-103, 78-104 and 78-105 thereof and enacting new Sections 78-103, 78-104 and 78-105, relating to solicitation of funds, as follows:

Sec. 78-103. Application for license.

Any person applying for a license to conduct a solicitation of funds shall make written application therefor to the city clerk. No license shall be issued unless an application containing the following information is first completed:

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Sec. 78-104. Issuance of license.

Upon the city clerk determining that a person applying for a license has complied with the terms of section 78-103 of this article and that the other sections of this article and city ordinances will be obeyed in the conduct of the solicitations so described, he or she shall issue a license to solicit funds. Failure to comply with the application requirements shall be grounds to deny a license. The city clerk shall not

issue a license to any organization where total annual costs of solicitation exceed 20 percent of funds solicited annually by the organization, but shall refer such application to the city council for review as if the license has been denied.

Sec. 78-105. Appeal of license denial to city council.

Any license denied under this article may be appealed to the city council within 20 days of denial. The city council shall consider the denial at its next regular meeting and shall either affirm the denial or order the city clerk, after payment of fees, to issue the license. The city council may consider additional evidence upon appeal. Any license not issued because the total annual cost of solicitation exceeds 20 percent of funds solicited annually shall be referred by the city clerk to the city council, which shall at its next regular meeting decide whether the license shall issue in the same manner as an appeal from denial of a license. The city council shall issue a license to an organization where costs of solicitation exceed 20 percent of funds solicited annually if it finds any of the following:

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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

Preston Daniels, Mayor

Attest:

I, Donna Boetel-Baker, 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. 01-1380), passed by the City Council of said City at a meeting held May 7, 2001, signed by the Mayor on May 7, 2001, and published as provided by law in the Business Record on May 21, 2001. Authorized by Publication Order No. 1741.

Donna Boetel-Baker, MMC, City Clerk