

★ **Roll Call Number**

**Agenda Item Number**

57C

**Date** October 26, 2015

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, by repealing Section 78-202, and enacting a new Section 78-202, to extend the Mobile Vender Pilot Program for an additional three months",

presented.

MOVED by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
<b>TOTAL</b>				

**CERTIFICATE**

I, DIANE RAUH, 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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

57C

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, by repealing Section 78-202, and enacting a new Section 78-202, to extend the Mobile Vender Pilot Program for an additional three months.

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 amended by Ordinance No. 15,362, passed April 6, 2015, be and is hereby amended by repealing Section 78-202, and enacting a new Section 78-202, to extend the Mobile Vender Pilot Program for an additional three months, as follows:

**Sec. 78-202. Pilot Project – Transitional Provisions.**

- a) This article is being adopted as a pilot project for a limited duration, after which the city council will determine whether to repeal this article, or to repeal the transitional provisions under this section and make any other changes to this article as may be appropriate in light of the lessons learned during the pilot project.
- b) Notwithstanding anything in this article to the contrary, the following provisions shall be controlling during the pilot project:
  - 1) All mobile vender licenses issued prior to October 26, 2015, shall expire on October 31, 2015, in conformance with their original terms. All mobile vender licenses issued after October 26, 2015, shall expire on January 31, 2016. No mobile vender license shall be issued for any term extending or commencing after January 31, 2016. ~~October 31, 2015.~~
  - 2) The regulations set forth in this article are subject to change at any time.
  - 3) If the city council determines by resolution at any time that the number of licensed mobile venders exceed that number that can be reasonably accommodated by the mobile vender zones it may direct the city clerk to immediately cease issuance of new mobile vender licenses. In that event the city clerk shall maintain a list of applicants who have filed a mobile vender license application which could not be granted because of such restriction, and the date and time at which each such application was received.

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

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown, Assistant City Attorney