

Date May 23, 2022

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 amending Sections 42-246 and 42-258, relating to noise control, sound equipment, sound amplifying equipment and construction equipment",

which was considered and voted upon under Roll Call No. 22-0759 of May 17, 2022; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage. Seconded by _____.

(Second of three required readings)

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

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.

MOTION CARRIED

APPROVED

Mayor

City Clerk

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 amending Sections 42-246 and 42-258, relating to noise control, sound equipment, sound amplifying equipment and construction equipment.

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

Section 1. That Sections 42-246 and 42-258, relating to noise control, sound equipment, sound amplifying equipment and construction equipment of the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is amended, by adding the following subsections:

Sec. 42-246. Definitions.

....

“*Sound violation*” means readings taken at the LCFmax that exceed the permitted level of amplified noise.

Sec. 42-258. Sound equipment, sound amplifying equipment and construction equipment.

....

- (17) *Type “Q” Permit – 900 Mulberry Street.* A type “Q” permit may be issued for sound equipment at 900 Mulberry Street, registering not more than 90 dBCs for up to six times in a calendar year and registering not more than 85 dBCs for up to 18 times in a calendar year measured at the real property boundary. Within any calendar month, no more than six permits may be granted with no more than two of those permits allowing readings up to 90 dBCs. The permits will be effective between the hours of 9:00 a.m. to 10:00 p.m. Sunday through Thursday and between the hours of 9:00 a.m. to 11:00 p.m. on Friday and Saturday. The amplified sound will not be the primary purpose of the event and the description of the event will be provided with the permit application. The event coordinator and/or the production company will provide notice to the adjacent residents detailing the type of event, the time frame of the event and contact names of persons responsible for the event as set out on the permit application. All speaker systems shall face SW 9th Street. The promoter or event coordinator shall have a sound meter and comply with section 42- 258 (e) of this article.

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

FORM APPROVED:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney