CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: **DATE: February 21, 2017**

First reading of proposed Ordinance to amend Title 5, Chapter 3 of the Municipal Code to allow the City's designee to collect animal impound fees.

FINANCIAL IMPACT:

This proposed Ordinance amendment should have little or no financial impact to the City.

BACKGROUND:

This proposed Ordinance is necessary to allow Furry Friends Refuge, as the City's contractor for purposes of animal control sheltering services, to be able to collect impound fees from animal owners. The Ordinance change is also required to be consistent with the terms of the City's Iowa Code Chapter 28E Agreement with Furry Friends Refuge, approved by the City Council at its meeting on February 6, 2017.

Because this Ordinance amendment only adds the words, "or designee", to West Des Moines Code section 5-3-15, and is in furtherance of the City's approved agreement with Furry Friends Refuge, this item was not presented to the Public Safety City Council subcommittee.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

It is recommended that the City Council approve the first reading of this proposed Ordinance.

Lead Staff Member: **Jason B. Wittgraf, Assistant City Attorney** JBW

STAFF REVIEWS

Department Director	James Barrett, Chief of Police
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation			

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 5, "POLICE REGULATIONS", CHAPTER 3, "ANIMAL CONTROL", SECTION 15 "IMPOUNDMENT, PICK UP, AND DISPOSAL FEES"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1: Title 5, Chapter 3, Section 15 is hereby amended by adding underline text.

5-3-15: IMPOUNDMENT, PICK UP, AND DISPOSAL FEES:

The owner of any dog, cat or other animal shall pay impoundment, pick up, and disposal fees to the city or designee. The amounts of the fees shall be established by resolution approved by the city council.

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2017.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk