CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: April 20, 2020

ITEM: Amendment to City Code – Amend Title 6 (Motor Vehicles and Traffic), Chapter 6 (Parking Regulations) to modify the requirements for prohibited parking.

Ordinance: Approval of First Reading

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The City of West Des Moines requests an amendment to the noted chapter and section of Title 6 (Motor Vehicles and Traffic), Chapter 6 (Parking Regulations) to amend regulations pertaining to prohibited parking.

- Title 6 (Motor Vehicles and Traffic)
  - Chapter 6 (Parking Regulations), Section 1 (Parking Prohibited), Subsection C

When this code provision was adopted in 1985, community mailboxes were not contemplated at that time. This amendment is intended to clarify that parking is prohibited within 20 feet of any mailbox that is placed adjacent to the roadway.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: City Staff recommends the City Council approve the first reading to amend City Code, Title 6 (Motor Vehicles and Traffic), Chapter 6 (Parking Regulations).

Lead Staff Member: Jessica D. Spoden, Assistant City Attorney

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	April 13, 2020		
Recommendation	Yes ☐	No ☐	Split ☐

ATTACHMENTS:

Exhibit I Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, BY AMENDING TITLE 6, (MOTOR VEHICLES AND TRAFFIC), CHAPTER 6, (PARKING REGULATIONS), SECTION 1 (PARKING PROHIBITED).

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

SECTION 1. AMENDMENT. Title 6 (Motor Vehicles and Traffic), Chapter 6 (Parking Regulations), Section 1 (Parking Prohibited), Subsection C is hereby amended by deleting the highlighted strike-thru text and adding the bold italic text;

C. Mailboxes: Within twenty feet (20') on either side of a mailbox which is so placed ~~and so equipped as to permit the depositing of mail from vehicles on~~ ***adjacent to*** the roadway.

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 All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.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. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Title 1, Chapter 4, Sections 1 and 2 of the City Code of the City of West Des Moines, Iowa.

SECTION 5. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2020, and approved this _____ day of _____, 2020.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson , City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2020, and was published in the Des Moines Register on __ _____, 2020.

_____

Ryan T. Jacobson, City Clerk