

ORDINANCE NO. 6410

AN ORDINANCE TO AMEND CHAPTER 2.08 "SCHEDULE OF FEES" OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 2.08.030, "WAIVER OF FEES".

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 2.08 "Schedule of Fees" of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.030, "Waiver Of Fees" to read as follows:

2.08.030 Waiver of fees.

The City does hereby waive the fees contained in this Chapter as well as those established in other chapters of the Council Bluffs Municipal Code for all city projects undertaken directly by the City or performed by an agency or authority on the behalf of the City.

The fees contained in the schedule and those authorized by other provisions of this municipal code may be waived by resolution of the city council if it is determined to be in the best interests of the city of Council Bluffs. In addition to this waiver authority of the city council, the mayor may waive parking meter hood fees set out in CBMC 2.08.060, if he/she determines such a waiver to be in the best interests of the city.

(Res. No. 18-24, 1-22-2018)

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

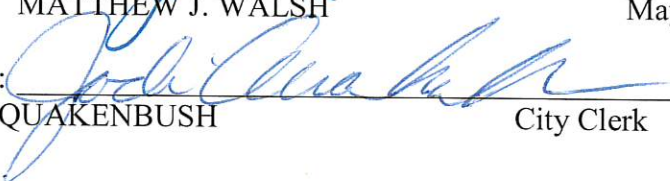
PASSED
AND
APPROVED

May 18, 2020.

First Consideration: 5-4-20
Second Consideration: 5-18-20
Public Hearing: N/A
Third Consideration: Waived


MATTHEW J. WALSH

Mayor

Attest: 
JODI QUAKENBUSH

City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Richard Wade

Ordinance 6410
ITEM 6.A.

Council Action: 5/18/2020

Description

Ordinance to amend Chapter 2.08 "Schedule of Fees" of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 2.08.030 "Waiver Of Fees".

Background/Discussion

It has long been the practice not to charge fees for projects undertaken by the City. In my review of our Code, I have been unable to find any authority for this waiver. The rationale for not charging fees for our City projects seems sound in that it would essentially be taking the money out of one pocket and putting it into the other.

Recommendation

I would recommend the adoption of this amendment to Section 2.08.030 of the Council Bluffs Municipal Code.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Ordinance	4/21/2020
Ordinance 6410	Resolution	4/30/2020

Proof Of Publication

State of Iowa

Pottawattamie County

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PASSED
AND
APPROVED
May 18, 2020.

MATTHEW J. WALSH Mayor

Attest:
JODI QUAKENBUSH City Clerk

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Third Consideration: Waived
2020(5)23-1 Saturday

Filed this 23rd day of May, A.D. 2020.

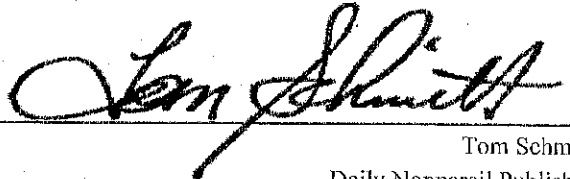
Publication Cost: \$37.10

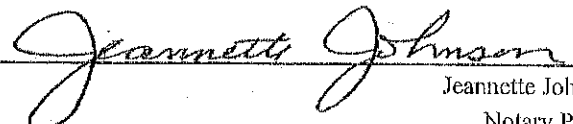
I, Tom Schmitt, on my oath do solemnly that I am Publisher of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

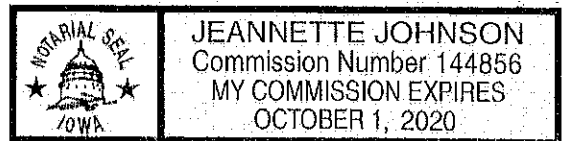
The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 23rd day of May, 2020.

Signed in my presence by the said Tom Schmitt and by her sworn to before me this 23rd day of May, A.D. 2020.


Tom Schmitt
Daily Nonpareil Publisher


Jeannette Johnson
Notary Public



Customer Number: 1003258
Order Number: 0000144112