

**ORDINANCE NO. 6584**

**AN ORDINANCE TO AMEND CHAPTER 3.02 GENERAL PROVISIONS OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REPEALING EXISTING SECTION 3.02.020 "TERM OF LICENSES-MINIMUM FEES"; SECTION 3.02.030 "ISSUANCE OF MATERIALS ACCOMPANYING LICENSES"; 3.02.040 "RECORDING OF LICENSES ISSUED-DELINQUENCIES"; SECTION 3.02.060 "SIGNATURES REQUIRED ON LICENSES"; SECTION 3.02.070 "LICENSE REGISTER"; SECTION 3.02.080 "LICENSES ISSUED TO MORE THAN ONE PERSON" AND BY AMENDING SECTION 3.02.090 "PENALTIES FOR VIOLATIONS".**

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

**SECTION 1.** That Chapter 3.02 General Provisions of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing existing Section 3.02.020 "Term of Licenses-Minimum Fees"; Section 3.02.030 "Issuance of Materials accompanying licenses"; Section 3.02.040 "Recording of Licenses Issued-Delinquencies"; Section 3.02.060 "Signatures Required on Licenses"; Section 3.02.070 "License Register"; Section 3.02.080 "Licenses Issued to More than one person" and by amending Section 3.02.090 "Penalties for violations" to now read as follows:

**Chapter 3.02 - GENERAL PROVISIONS**

**3.02.010 Licensing And Taxation**

**3.02.050 Charges To Be Paid Before License Issued**

**3.02.090 Penalties For Violations**

**3.02.010 Licensing And Taxation**

The various objects, subjects, persons, trades, vocations, professions and occupations, with the City of Council Bluffs, shall be licensed, taxed and regulated as in this title provided.

(§ 1; Ord. dated July 3, 1882)

**3.02.050 Charges To Be Paid Before License Issued**

The City Clerk shall not issue any license until the party applying for the same shall have paid into the City Treasury the sum of money charged therefor by ordinance.

(§ 84; Ord. dated July 3, 1882)

**3.02.090 Penalties For Violations**

Failure to register or pay fees as set out in this chapter shall be deemed a simple misdemeanor. Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of CBMC 8.02.020. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of CBMC 1.95, in lieu of criminal prosecution.

(§ 88; Ord. dated July 3, 1882)

**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 publication, as by law provided.

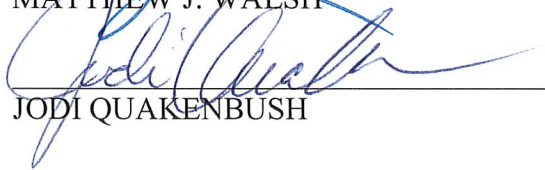
PASSED  
AND  
APPROVED

November 13, 2023.

  
MATTHEW J. WALSH

Mayor

Attest:

  
JODI QUAKENBUSH

City Clerk

First Consideration: 10-23-23

Second Consideration: 11-13-23

Public Hearing: N/A

Third Consideration: waived

# Proof Of Publication

State of Iowa

Pottawattamie County

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AN ORDINANCE TO AMEND CHAPTER 3.02  
GENERAL PROVISIONS OF THE 2020 MUNICI-  
PAL CODE OF COUNCIL BLUFFS, IOWA, BY  
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3.02.030 "ISSUANCE OF MATERIALS ACCOM-  
PANYING LICENSES"; 3.02.040 "RECORDING OF  
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3.02.060 "SIGNATURES REQUIRED ON LICENS-  
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SECTION 3.02.080 "LICENSES ISSUED TO MORE  
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Delinquencies"; Section 3.02.060 "Signatures  
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ing Section 3.02.090 "Penalties for violations"  
to now read as follows:

## Chapter 3.02 - GENERAL PROVISIONS

### 3.02.010 Licensing And Taxation

#### 3.02.050 Charges To Be Paid Before License

Issued

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provisions of this chapter may be pursued as  
a municipal infraction according to the terms  
of CBMC 1.95, in lieu of criminal prosecution.

(§ 88; Ord. dated July 3, 1882)

For complete copy of Ordinance, see City Cler-  
k's Office.

ADOPTED AND APPROVED November 13, 2023.

MATTHEW J. WALSH, Mayor

Attest: JODI QUAKENBUSH, City Clerk

2023 (11) 21-1 Tuesday

I, (the undersigned) on my oath do solemnly that I am an authorized  
representative of CBN Daily Nonpareil, a newspaper issued DAILY  
and printed in said county, COUNCIL BLUFFS, IOWA.

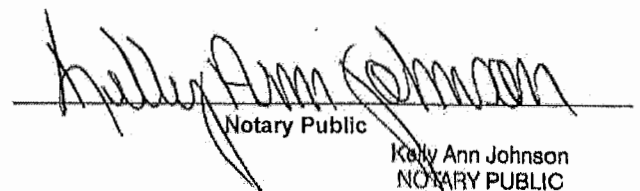
The attached notice was published in said newspaper 1 consecutive  
time(s) as follows:

The First publication thereof began on the 21st day of November,  
2023.



Billing Representative

Sworn to and subscribed before me this 21st day  
of November, A.D. 2023.

  
Notary Public

Kelly Ann Johnson  
NOTARY PUBLIC

State of Virginia  
County of Hanover  
My Commission expires

Commonwealth of Virginia  
Registration No. 8004299  
My Comm. Exp. March 31, 2026

CITY OF COUNCIL BLUFFS  
209 PEARL ST.  
COUNCIL BLUFFS, IA 51503

Publication Cost: \$61.12  
Customer Number: 1003258  
Order Number: 0000392619

E-mail

jquakenbush@councilbluffs-ia.gov

## Council Communication

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

Ordinances 6583, 6584, 6585, 6586, 6587 as  
amended, 6588, 6589, 6590 and 6591  
ITEM 5.A.

Council Action: 11/13/2023

### Description

Ordinances 6583 through 6591 amending Title 3, Business Regulation and Licenses as shown in Council packet.

### Background/Discussion

The City Clerk and the City Legal Department recently reviewed the current code of Chapter 3 of the Council Bluffs Municipal Code ("Business Regulations and Licenses"). Many of the proposed changes are simply deleted code sections that we have not had any further inquiry for licensing within at least the last 15 years. Some code sections are better placed in other section of the Code and under direction of other City departments. Additionally, we are removing all fees from being specifically named within separate ordinances and chapters of the Code, with the intent to have them all placed into our Schedule of Fees (2.08) in order to allow for periodic review and updating along with other fees. This will allow for simple changing of the Schedule Of Fees rather than each separate ordinance.

Also please note, changes to Chapter 3.31 and Chapter 3.32 are addressed in separate items before this Council by Community Development.

#### City Clerk Comments

A lot of these sections were implemented in 1882-1928 and have never been updated, so they are outdated and not enforced today.

Summary of the changes:

Deleting sections, Bail Bonds, Handbills, Public entertainment, Endurance Contests, games and amusement, Miniature Golf, Motion picture theaters, pool and billiard halls, public building and halls and vehicles for hire.

We haven't issued a taxi cab permit in several years and not something we have enforced. It is my understanding we can not regulate the rideshare type of transportation (Uber, Lyft, etc.)

We have combined the Handbills, Solicitor and Transient Merchant into one permit, Solicitors permit.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

| Description                        | Type      | Upload Date |
|------------------------------------|-----------|-------------|
| Title 3 Redline                    | Other     | 10/16/2023  |
| Ordinance 6583                     | Ordinance | 10/17/2023  |
| Ordinance 6584                     | Ordinance | 10/17/2023  |
| Ordinance 6585                     | Ordinance | 10/17/2023  |
| Ordinance 6586                     | Ordinance | 10/17/2023  |
| Ordinance 6587 as amended 10-23-23 | Ordinance | 10/24/2023  |
| Ordinance 6588                     | Ordinance | 10/17/2023  |
| Ordinance 6589                     | Ordinance | 10/17/2023  |
| Ordinance 6590                     | Ordinance | 10/17/2023  |
| Ordinance 6591                     | Ordinance | 10/17/2023  |