

ORDINANCE NO. 6625

AN ORDINANCE TO AMEND TITLE 8 PUBLIC SAFETY AND MORALS OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY ENACTING NEW CHAPTER 8.95 "CRYPTOCURRENCY ATM WARNING REQUIREMENT".

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

SECTION 1. That Title 8 Public Safety and Morals of the 2020 Municipal Code of Council Bluffs, Iowa is hereby amended by enacting new Chapter 8.95 "Cryptocurrency ATM Warning Requirement" to read as follows:

Chapter 8.95-CRYPTOCURRENCY ATM WARNING REQUIREMENT

8.95.010 Definitions

8.95.020 Crypto ATM/Bitcoin ATM Warning Requirement

8.95.030 Penalty

8.95.040 Additional Remedies For Violation(s)

8.95.010 Definitions

- A. Cryptocurrency – A virtual currency that utilizes cryptography to secure transactions that are digitally recorded on a cryptographically secured digital ledger.
- B. Crypto ATM/Bitcoin ATM – A stand-alone electronic kiosk or automated teller machine that allows users to buy and sell cryptocurrency in exchange for cash or with the use of a debit or credit card.
- C. Blockchain – A decentralized digital ledger that stores information across a network of computers or nodes in blocks that are verified and validated to ensure legitimate and accurate transactions.

8.95.020 Crypto ATM/Bitcoin ATM Warning Requirement

- A. Any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises shall post a written warning, as described in paragraph B of this section, in a conspicuous, readable position no further than two (2) feet away from the physical Crypto ATM or Bitcoin ATM.
- B. Such warning as described in paragraph A of this section shall be provided by the Council Bluffs Police Department in order to protect the safety and welfare of the general public by providing notice to customers and users of Crypto ATM's and/or Bitcoin ATM's of the potential risks of frauds or scams associated with the use of Crypto ATM's and/or Bitcoin ATM's.

8.95.030 Penalty

- A. It shall be unlawful for any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises for failure to provide such warning as described in CMBC 8.95.020.
- B. Any violation of this chapter is considered a municipal infraction and is punishable for this specific chapter only, as follows:
1. First Offense - \$100.00 plus surcharge and court costs;
 2. Second Offense - \$250.00 plus surcharge and court costs;
 3. Third, and consecutive, offense(s) - \$500.00 plus surcharge and court costs.

8.95.040 Additional Remedies For Violation(s)

- A. In addition to the penalties as outlined in this Chapter, the Council Bluffs Police Department reserves the right to affix the required warning in accordance with CBMC 8.95.020(A) in the event any person, business, corporation, or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises fails to do so as required. Any removal of affixed warnings by the Council Bluffs Police Department shall be subject to the penalties as outlined in this Chapter.

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

February 10, 2025


MATTHEW J. WALSH Mayor

Attest:


AMANDA KOPERA Deputy City Clerk

First Consideration: 1-27-25
Second Consideration: 2-10-25
Public Hearing: n/a
Third Consideration: waived

AFFIDAVIT OF PUBLICATION

The Daily Nonpareil

State of Pennsylvania, County of Lancaster, ss:

Alison Farmwald, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Daily Nonpareil, a newspaper printed and published three (3) days a week at Council Bluffs, in said County and State, and that the notice herto attached was published in said newspaper once each day for the period on the dates below listed.

PUBLICATION DATES:

Mar. 22, 2025

NOTICE ID: OsW4DnFbUyZsCCIVsuYn

PUBLISHER ID: COL-9101801

NOTICE NAME: Ordinance 6625

(Signed) Alison Farmwald

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 03/26/2025

Nicole Burkholder
Notary Public

PUBLICATION FEE: \$77.80

Notarized remotely online using communication technology via Proof.

Ordinance 6625

AN ORDINANCE TO AMEND TITLE 8 PUBLIC SAFETY AND MOBILITY OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY ENACTING NEW CHAPTER 8.05 "CRYPTOCURRENCY ATM WARNING REQUIREMENT".

BE IT ORDAINED BY THE CITY COUNCIL OF THE

CITY OF COUNCIL BLUFFS, IOWA SECTION 1. That Title 8 Public Safety and Mobility of the 2020 Municipal Code of Council Bluffs, Iowa is hereby amended by enacting new Chapter 8.05 "Cryptocurrency ATM Warning Requirement" to read as follows:

Chapter 8.05- CRYPTOCURRENCY ATM WARNING REQUIREMENT

8.05.010 Definitions

8.05.020 Crypto ATM/Bitcoin ATM Warning Requirement

8.05.030 Penalty

8.05.040 Additional Remedies For Violation(s)

8.05.010 Definitions

A. Cryptocurrency - A virtual currency that utilizes cryptography to secure transactions that are digitally recorded on a cryptographically secured digital ledger.

B. Crypto ATM/Bitcoin ATM - A stand-alone electronic kiosk or automated teller machine that allows users to buy and sell cryptocurrency in exchange for cash or with the use of a debit or credit card.

C. Blockchain - A decentralized digital ledger that stores information across a network of computers or nodes in blocks that are verified and validated to ensure legitimate and accurate transactions.

8.05.020 Crypto ATM/Bitcoin ATM Warning Requirement

A. Any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises shall post a written warning, as described in paragraph B of this section, in a conspicuous, readable position no further than two (2) feet away from the physical Crypto ATM or Bitcoin ATM.

B. Such warning as described in paragraph A of this section shall be provided by the Council Bluffs Police Department in order to protect the safety and welfare of the general public by providing notice to customers and users of Crypto ATM's and/or Bitcoin ATM's of the potential risks of frauds or scams associated with the use of Crypto ATM's and/or Bitcoin ATM's.

8.05.030 Penalty

A. It shall be unlawful for any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises for failure to provide such warning as described in CMB 8.05.020.

B. Any violation of this chapter is considered a municipal infraction and is punishable for this specific chapter only, as follows:

1. First Offense - \$100.00 plus surcharge and court costs;
2. Second Offense - \$250.00 plus

surcharge and court costs;

3. Third, and consecutive, offense(s) -
\$500.00 plus surcharge and court costs.

**8.95.040 Additional Remedies For
Violation(s)**

A. In addition to the penalties as outlined in this Chapter, the Council Bluffs Police Department reserves the right to affix the required warning in accordance with CBMC 8.95.020(A) in the event any person, business, corporation, or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises fails to do so as required. Any removal of affixed warnings by the Council Bluffs Police Department shall be subject to the penalties as outlined in this Chapter.

Adopted and Approved February 10,
2025

For complete copy of Ordinance, see City
Clerk's Office.

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

March 22, 2025 COL-9101801

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Graham Jura and Todd Weddum

Ordinance 6625
ITEM 6.A.

Council Action: 2/10/2025

Description

Ordinance to amend Title 8 Public Safety and Morals of the 2020 Municipal Code of Council Bluffs, Iowa by enacting new Chapter 8.95 "Cryptocurrency ATM Warning Requirement"

Background/Discussion

The City of Council Bluffs has seen an uptick in Crypto ATM related scams with the proliferation of such ATM's in the city. With such technology being relatively new, it has become easier for criminals to scam individuals out of funds due to a general lack of understanding of what cryptocurrency is. CBPD reports that over the past 2 years, they've had 32 citizens reports, totaling over \$386,000 in losses due to crypto scams. In order to protect the safety and welfare of the general public, it is vital that we require warnings to be posted to assist individuals in determining the risks of depositing money into such ATM's and whether the parties asking them to deposit the money are legitimate.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6625	Ordinance	1/22/2025