

ORDINANCE NO. 122

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST OKOBOJI, IOWA, BY AMENDING PROVISIONS PERTAINING TO TIME RESTRICTIONS ON PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

WHEREAS, the City Council of the City of West Okoboji, Iowa has published notice and held a public hearing regarding a proposed change to Chapter 122 regarding time restrictions pertaining to Peddlers, Solicitors, and Transient Merchants.

BE IT ENACTED by the City Council of the City of West Okoboji, Iowa:

SECTION 1. SECTION MODIFIED:

The amendment/modification is to Chapter 122 of the City Code, including but not limited to 122.10 and other relevant sections regarding Peddlers, Solicitors, and Transient Merchants. The proposed amendment is to change the time restriction from Monday through Saturday 8 a.m. to 6 p.m. to Monday through Sunday 8 a.m. to 8 p.m.

The ordinance amendment is shown below. **Removed section lined through. Additions shown as underlined:**

122.10 TIME RESTRICTION AMENDED: Licenses for all peddlers and solicitors shall be in force and effect only between the hours of 8:00 a.m. and ~~6~~ 8:00 p.m., Monday through ~~Saturday~~ Sunday. Transient merchants shall submit a schedule of hours to the Clerk at the time of application, to be approved by the Council.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, 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 section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

WHEREAS, a motion was made by Councilmember Paxton and seconded by Councilmember Hein to consider approval of this Ordinance (first consideration) and upon roll call the following vote was recorded:

	AYE	NAY
Hein	x	
Olsen	x	
Paxton	x	
Powers	x	
Sieh	x	

Said motion to consider approval of this Ordinance (first consideration) was approved by the City Council;

WHEREAS, a motion was made by Councilmember Olson and seconded by Councilmember Hein to waive the second and third considerations of this Ordinance and upon roll call the following vote was recorded:

	AYE	NAY
Hein	x	
Olsen	x	
Paxton	x	
Powers	x	
Sieh	x	

Said motion to waive the second and third considerations of this Ordinance was approved by the City Council, and therefore, the second and third considerations of this Ordinance were waived;

WHEREAS, a motion was made by Councilmember Olson and seconded by Sieh to adopt this Ordinance and upon roll call the following vote was recorded:

	AYE	NAY
<u>Hein</u>	<u>x</u>	<u></u>
<u>Olsen</u>	<u>x</u>	<u></u>
<u>Paxton</u>	<u>x</u>	<u></u>
<u>Powers</u>	<u>x</u>	<u></u>
<u>Sieh</u>	<u>x</u>	<u></u>
<u></u>	<u></u>	<u></u>

Said motion to adopt this Ordinance was approved by the City Council. Thereupon, the Mayor declared this Ordinance, passed and approved on the date shown below.

NOW, THEREFORE, BE IT ENACTED by the City Council.

Passed and approved this 10th day of July, 2023.

Craig Miner, Mayor

I, the undersigned, hereby certify that I am the duly appointed, qualified and acting city clerk, deputy city clerk, or representative of the City of West Okoboji, Iowa, and the foregoing Ordinance was duly adopted by the City Council on the 10th Day of July 2023, and thereafter on the _____ day of _____, 2023, the same was published in the Dickinson County News, a weekly newspaper published in Dickinson County, Iowa.

Dated this 10th day of July _____, 2023.

Mike Paxton

City Clerk, or Deputy City Clerk or City Representative