

ORDINANCE NO. 1494

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to business licenses, adding a new section to chapter 5.08 DMMC to provide a business license requirement for solicitors, and codifying a new section in chapter 5.08 DMMC.

WHEREAS, on June 11, 1987, the City Council of the City of Des Moines adopted provisions regulating solicitors in the City of Des Moines by enacting Ordinance No. 471, codified in chapter 5.08 DMMC, and

WHEREAS, chapter 5.08 DMMC does not currently provide a requirement for solicitors to obtain a business license, and

WHEREAS, the City Council of the City of Des Moines believes it is in the best interest of the citizens of Des Moines for solicitors to have valid business licenses; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. A new section is added to chapter 5.08 DMMC to read as follows:

**Business license required.** Each person, firm, corporation or association applying for solicitor applications shall be required to obtain a City of Des Moines business license.

Sec. 2. **Codification.** Section 1 of this ordinance shall be codified as a new section in chapter 5.08 DMMC.

Sec. 3. **Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

Sec. 4. **Effective date.** This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 21st day of October, 2010 and signed in authentication thereof this 21st day of October, 2010.

  
MAYOR

APPROVED AS TO FORM:

  
City Attorney

ATTEST:

  
City Clerk

Published: October 27, 2010

LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1494, Adopted October 21, 2010.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to business licenses, adds a new section to chapter 5.08 DMMC to provide a business license requirement for solicitors, and codifies a new section in chapter 5.08 DMMC.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC  
City Clerk

Published: October 27, 2010

**ORDINANCE NO. 1494-A**

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON,** vacating a portion of City right-of-way in an area generally described as a portion of public right-of-way on South 247<sup>th</sup> Street between 13<sup>th</sup> Place South and an unnamed public alley in the City of Des Moines, subject to the applicant's compliance with requirements set forth herein.

**WHEREAS,** the City Council of the City of Des Moines adopted Resolution No. 1132, declaring its intent to consider vacation of a public right-of-way which now constitutes a portion of public right-of-way on South 247<sup>th</sup> Street between 13<sup>th</sup> Place South and an unnamed public alley in the City of Des Moines, and

**WHEREAS,** notice of the public hearing was given in accordance with law and the public hearing was held before the City Council of the City of Des Moines on October 28, 2010, and all persons wishing to be heard were heard, and

**WHEREAS,** based on the evidence presented, the City Council makes the following findings of fact:

(1) The public right-of-way which is the subject of this ordinance consists of a portion of public right-of-way on South 247<sup>th</sup> Street between 13<sup>th</sup> Place South and an unnamed public alley, and

(2) The public right-of-way which is the subject of this ordinance is unimproved for transportation purposes, was recorded as the First Railroad Addition to Des Moines platted in 1890, has never been opened for transportation purposes, and

(3) The public right-of-way which is the subject of this ordinance is not necessary for present or future use by public utilities; and

(4) The public right-of-way which is the subject of this ordinance is surplus to the present and future needs of the citizens of the City of Des Moines for transportation purposes, and it is in the public interest to vacate this right-of-way; now therefore,

**THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:**

**Sec. 1. Findings adopted.** The recitals set forth above are adopted as the City Council's findings of fact.

**Sec. 2. Right-of-way vacation.** Subject to the requirements set forth in this ordinance, the public right-of-way legally described as follows:

That portion of South 247<sup>th</sup> Street lying westerly of 13<sup>th</sup> Place South and easterly of an unnamed alley way, south of Lot 15 in Block 14 AND north of Lot 1 in Block 15 of the First Railroad Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, in King County, Washington.

is vacated and the property within the right-of-way so vacated shall belong to the respective abutting property owners.

**Sec. 3. Conditions of right-of-way vacation.** The right-of-way subject to vacation under this ordinance shall be subject to the following conditions:

(1) The abutting property owners shall not be required to pay the City of Des Moines on compensation for vacation of this Class C right-of-way, pursuant to DMMC 12.12.050(2)(b).

**Sec. 4. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

**Sec. 5. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage, approval, and publication in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this 28th day of October, 2010 and signed in authentication thereof this 28th day of October, 2010.

  
M A Y O R

APPROVED AS TO FORM:

  
Assistant City Attorney

ATTEST:

  
City Clerk

Published: December 3, 2010

Effective Date: November 27, 2010

LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1494-A, Adopted October 28, 2010.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance vacates a portion of City right-of-way in an area generally described as a portion of public right-of-way on South 247<sup>th</sup> Street between 13<sup>th</sup> Place South and an unnamed public alley in the City of Des Moines, subject to the applicant's compliance with requirements set forth herein.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC  
City Clerk

Published: December 3, 2010