



Document 2011 532

Book 2011 Page 532 Type 06 024 Pages 2

Date 2/25/2011 Time 10:22 AM

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Prepared by: J. Ibanez, Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO. 1911

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2009 BY AMENDING TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONING DISTRICT), SECTION 6 (COMMERCIAL, OFFICE AND INDUSTRIAL USE REGULATIONS), SUBSECTION C (TABLE 6.1 USE MATRIX); DIVISION G (RETAIL TRADE) TO ALLOW SIC 577: MOTORCYCLE DEALERS AND SIC 559: AUTOMOTIVE DEALERS, NOT ELSEWHERE CLASSIFIED AS PERMITTED CONDITIONAL USES IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9, Zoning; Chapter 6, Commercial, Office and Industrial Zoning District; Section 6, Commercial, Office and Industrial Use Regulations; Subsection C, Table 6.1 – Use Matrix; Division G (Retail Trade), is hereby amended by inserting the highlighted bolded language as follows:

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
557Motorcycle dealers					Pc			Pc				Pc			
559Automotive dealers, not elsewhere classified (e.g., aircraft dealers, snowmobile dealers)					Pc			Pc				Pc			

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 3. Savings Clause. If any section, provision, sentences, clause, phrase 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 provision, section, subsection, sentences, clause, phrase or part hereof not adjudged invalid or unconstitutional.

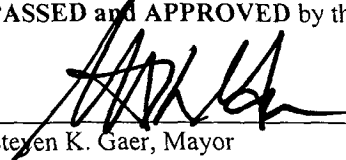
CITY OF WEST DES MOINES, IOWA
CERTIFIED COPY
 February 22, 2011
 Jan S. Stawan
 CITY CLERK

Section 4. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

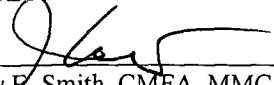
Section 5. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED and APPROVED by the City Council on the 22nd day of February, 2011.



Steven K. Gaer, Mayor

ATTEST:


Jody E. Smith, CMFA, MMC
City Clerk

Published in the Des Moines Register on March 4, 2011