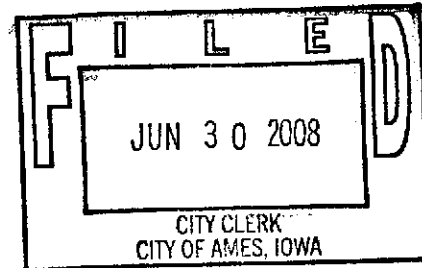




City Attorney's Office

515 Clark Avenue, P. O. Box 811
Ames, IA 50010
Phone: 515-239-5146 • Fax: 515-239-5142

June 27, 2008



The Honorable Ann Campbell, Mayor,
and Members of the City Council
of the City of Ames, Iowa

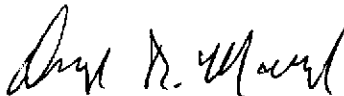
Re: Ordinance Amending the City Code by Repealing Chapter 21A – Smoking in Public Places

Dear Mayor Campbell and Council Members:

With the implementation on July 1 of the Iowa Smoke Free Air Act, HF 2212, it is appropriate to repeal the Ames ordinance prohibiting smoking in certain public places. Though the Ames ordinance has not been enforceable since 2003 when the Iowa Supreme Court ruled that it was in conflict with state law, the local smoking prohibition is still included in the Ames Municipal Code as Chapter 21A.

The attached ordinance amends the Ames Municipal Code by repealing Chapter 21A in its entirety. I recommend its passage and adoption.

Yours truly,


Douglas R. Marek
City Attorney

enclosure

c: Diane Voss

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 21A THEREOF; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT.

BE IT RESOLVED, by the City Council of the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be hereby amended by repealing Chapter 21A as it now exists:

Section Two. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, 2008.

Diane R. Voss, City Clerk
O0973

Ann H. Campbell, Mayor