



MEMO

Legal Department

To: Mayor Haila, Ames City Council

From: Mark O. Lambert, City Attorney

Date: January 20, 2022

Subject: Ordinance correcting an error in ordinance establishing new wards and precincts.

The Iowa Secretary of State's office conducts a detailed review of all city ordinances establishing new wards and precincts created after the decennial census. The City's new ordinance was adopted on December 21, 2021 and was submitted to the Secretary of State on January 3, 2022. On January 12, 2022, Secretary of State's office contacted the City Attorney and noted one line in the ordinance where it read that the boundary was to go to the west, when it should have said east.

Legal and Planning staff reviewed that proposed correction and determined that the Secretary of State's office was correct.

The error is in Precinct 19, in the Fourth Ward. To show you where the error is, I have underlined the word "west" which needs to be changed to "east":

Sec. 6.11. FOURTH WARD VOTING PRECINCTS.

The Fourth Ward is divided into voting precincts as follows:

(1) Fourth Ward, Precinct No. 19 Described.

The area bounded by the following points, proceeding generally in a clockwise manner:

Beginning at the intersection of the centerlines of Lincoln Way and N. University Boulevard/University Boulevard;

Thence west along the centerline of Lincoln Way to the centerline of Union Drive.

Thence north along the centerline of Union Drive to the channel of College Creek;

Thence west along the channel of College Creek to the centerline of N. University Boulevard;

Thence south along the centerline of N. University Boulevard to the centerline of Lincoln Way and the point of beginning

The attached ordinance corrects this error. Staff is recommending that the Council adopt this ordinance, and is requesting that the Council suspend the rules and do all three readings in this Council meeting, to facilitate sending the correction to the Secretary of State for approval.

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ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, FOR THE PURPOSE OF ESTABLISHING AND DESCRIBING WARDS AND PRECINCTS FOLLOWING THE 2020 DECENNIAL CENSUS AND AFTER REDISTRICTING OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS, BY REPEALING SECTION 6.11(1) AND ENACTING NEW SECTION 6.11(1) THEREOF, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 6.11(1). Enacting New Sections 6.11(1) as follows:

...

Sec. 6.11. FOURTH WARD VOTING PRECINCTS.

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(1) Fourth Ward, Precinct No. 19 Described.

The area bounded by the following points, proceeding generally in a clockwise manner:

Beginning at the intersection of the centerlines of Lincoln Way and N. University Boulevard/University Boulevard;

Thence west along the centerline of Lincoln Way to the centerline of Union Drive.

Thence north along the centerline of Union Drive to the channel of College Creek;

Thence east along the channel of College Creek to the centerline of N. University Boulevard;

Thence south along the centerline of N. University Boulevard to the centerline of Lincoln Way and the point of beginning.

...

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 for city elections occurring after January 15, 2022, after its final passage, approval, and publication as provided by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor