

MEMO

Legal Department



To: Mayor Haila, Ames City Council

From: Mark O. Lambert, City Attorney

Date: September 23, 2022

Subject: Assigning new annexations to wards and precincts for election purposes

Following an annexation, the City needs to assign any newly annexed territories to the appropriate wards and precincts for election purposes, as required by Code of Iowa Section 49.8(2). State law specifies that the territories are to be assigned to a contiguous ward and precinct.

There have been three annexations approved by the Council since the Council adopted the new wards and precincts in December 2021. The annexations will be attached to the following precincts: (1) Territory annexed by Resolution #22-097, 2/22/2022 (2105/2421 Dayton Avenue Annexation) is attached to Ward 1, Precinct 3; (2) Territory annexed by Resolution #22-099, 2/22/2022 (G.W. Carver Avenue/Cameron School Road Annexation) is attached to Ward 2, Precinct 12; (3) Territory annexed by Resolution #22-284, 5/24/2022 (2219/2121 State Avenue Annexation) is attached to Ward 3, Precinct 14.

Staff is requesting that Council suspend the rules to adopt the ordinance at one Council meeting to assure that the territories will be assigned to wards & precincts in time for the County Auditor to notify the residents of those territories of their ward and precinct numbers and polling places, and to print ballots, prior to the general election.

RECOMMENDED ACTION: State law requires that a territory annexed by the City needs to be assigned by ordinance to the appropriate ward and precinct. There is little to no discretion in the assignments since the wards and precincts must be contiguous to the newly annexed area. These assignments need to be finalized in time for the County Auditor to notify residents of their ward/precinct numbers, and in time for ballots to be printed for the November 8, 2022 election. **Therefore, staff recommends that**

the Council adopt the ordinance and suspend the rules to do all three readings at one meeting.

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DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Mark O. Lambert, City Attorney, 515 Clark Ave., Ames, IA 50010 (515-239-5146)
Return recorded document to: City Clerk, City of Ames, 515 Clark Avenue, Ames, Iowa 50010

ORDINANCE NO. 4480

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SUBSECTION 6.14 (1), (2), AND (3), THEREOF, FOR THE PURPOSE OF UPDATING WARDS AND PRECINCTS; 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 enacting a new Section 6.14 (1), (2), (3) as follows:

“Sec. 6.14. ANNEXATIONS.

...

(1) Territory annexed by Resolution #22-097, 2/22/2022 (2105/2421 Dayton Avenue Annexation) is attached to Ward 1, Precinct 3.

(2) Territory annexed by Resolution #22-099, 2/22/2022 (G.W. Carver Avenue/Cameron School Road Annexation) is attached to Ward 2, Precinct 12.

(3) Territory annexed by Resolution #22-284, 5/24/2022 (2219/2121 State Avenue Annexation) is attached to Ward 3, Precinct 14.”

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 _____, _____.

Renee Hall, City Clerk

John A. Haila, Mayor