

ITEM #: 20  
DATE: 07-23-24  
DEPT: PW

**COUNCIL ACTION FORM**

**SUBJECT: UPDATING ENFORCEMENT PROVISIONS TO CHAPTER 5B AND  
CHAPTER 22A OF AMES MUNICIPAL CODE**

**BACKGROUND:**

In reviewing sections of the Municipal Code, it was found that certain chapters need updated language to support enforcement of the respective provisions and requirements. The two recently noted are Chapter 5B (Post Construction Stormwater Management) and Chapter 22A (Use of City Right-of-way by Right-of-way Users).

Staff from the Public Works and Legal departments have met and determined that minor updates and/or additions to each chapter will provide the necessary enforcement language. **These changes will bring the enforcement provisions of these chapters into alignment with other comparable chapters. The penalties would be \$500 for first violations and \$750 for repeat violations.**

**On June 25, 2024, City Council directed the Legal Department to draft ordinance updates to align the enforcement provisions of Chapters 5B and 22A with comparable sections of the Municipal Code.** The enforcement language (see attached) for both Chapters will now read:

“A violation of any provision of Chapter (*5B or 22A, respectively*) shall be a municipal infraction punishable by a penalty of \$500 for a person’s first violation thereof, and a penalty of \$750 for each repeat violation.”

**ALTERNATIVES:**

1. Approve first reading of Ordinance updating enforcement provisions to Ames Municipal Code Chapter 5B and Chapter 22A.
2. Do not approve revisions to these chapters of Municipal Code at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

City Council previously directed that the enforcement provisions of Chapters 5B and 22A be updated to be consistent with other similar sections of Municipal Code. Legal staff has now drafted these updates. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above

**ATTACHMENT(S):**

[Ordinance Chap 5B and 22A.PDF](#)