

ORDINANCE NO. \_\_\_\_

Ordinance amending and deleting various Chapters, Sections and Subsections of the Davenport Municipal Code to decommission the Airport Commission, Commission On Youth, Youth Advisory Commission, Adult Crossing Guard, and Sustainable Environment Methods & Technology Advisory Commission as well as aligning the purpose and combining the functions of the RiverCenter/Adler Theatre Advisory Board, Parks and Recreation Advisory Board and Levee Improvement Commission as well as combining the building trades code boards.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1: That the Sections 2.12.250 and 2.12.260 are deleted.

Section 2: That Section 2.54.060 is deleted.

Section 3: That Section 2.54.070 is deleted.

Section 4: That Chapter 2.56 is deleted and noted as reserved.

Section 5: That Chapter 2.62 is amended to read as follows:

**Chapter 2.62 Riverfront, Parks & Recreational Amenities Advisory Board**

**Sections:**

- 2.62.010 Created.**
- 2.62.020 Mayor presides – advisory only - purpose.**
- 2.62.030 Appointment - Term - Vacancies.**
- 2.62.040 Meetings.**
- 2.62.050 Adoption of rules or bylaws.**
- 2.62.060 Riverfront defined.**

**2.62.010 Created.**

There is created and established a Riverfront, Parks & Recreational Amenities Advisory Board consisting of eleven members, all of whom shall be residents of the city.

**2.62.020 Mayor presides - advisory only - purpose.**

The mayor shall preside at all meetings. The board shall act in an advisory capacity only and assist the Mayor and Council, as requested by the Council, in working with staff, individual citizens, community organizations, and other groups in planning and developing long term infrastructure for recreational and leisure opportunities.

**2.62.030 Appointment - Term - Vacancies.**

A. Each Alderman and the Mayor have one appointee to the board to be approved by the Council. The board member's terms shall be for three years; provided however, the initial term for the members will be:

- 1) for those appointed by the First, Third, Fifth or Seventh Ward Alderman – one year;
- 2) for those appointed by the Second, Fourth, Sixth or Eighth Ward Alderman – two years; and
- 3) for those appointed by the Aldermen at Large or Mayor – three years.

B. All vacancies occurring shall be filled by approval of the city council and the person so appointed shall hold office until the expiration of the term for which he/she was appointed.

**2.62.040 Meetings.**

The board shall meet quarterly at a time and place conducive to public meetings. A majority of the members present and voting shall be necessary for the passage of any motion. The Mayor may call a special meeting upon at least 24-hours' notice.

**2.62.050 Adoption of rules or bylaws.**

The board shall have power to adopt the rules or bylaws concerning the procedure or protocol of its meetings that are not inconsistent with provisions of this chapter.

**2.62.060 Riverfront defined.**

Except as otherwise provided in this chapter, the Riverfront as used in this chapter is:

Beginning at a point at the intersection of the east city limits and the centerline of the Mississippi River (Iowa-Illinois boundary); thence northerly along the east city limits (extension of Fernwood Avenue) to the intersection with the centerline of East River Drive, then in a

generally westerly direction along the centerline of East River Drive and West River Drive to the intersection of West River Drive to the intersection of West River Drive with the centerline of the Soo Line Railroad (immediately west of Blackhawk Creek), thence in a southwesterly direction along the centerline of the Soo Line Railroad to the intersection with the west city limits (Utah Avenue); thence in a southerly direction to the intersection of the extension of the west city limits with the centerline of the Mississippi River, thence upstream along the centerline of the Mississippi River (Iowa-Illinois boundary) to the point of beginning.

Section 6: That Chapter 2.68 is deleted in its entirety and noted as reserved.

Section 7: That Chapter 2.70 is deleted in its entirety and noted as reserved.

Section 8: That Chapter 2.78 is deleted in its entirety and noted as reserved.

Section 9: That Subsection 2.84.030(J) is amended to read as follows:

J. To hold meetings on no less than a quarterly basis.

Section 10: That Chapter 2.88 is deleted in its entirety and noted as reserved.

Section 11: That Section 15.08.215 is amended to read as follows:

**15.08.215 Code board of appeals and review - Powers and duty.**

A. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the technical codes, there shall be, and is created, a Combined Construction Code Board of Appeals and Review, consisting of seven members. The Mayor shall strive to appoint one member who is a: State of Iowa licensed electrical contractor or journeyman, State of Iowa licensed plumbing contractor or journeyman, State of Iowa licensed mechanical (HARV) contractor or journeyman, City of Davenport licensed Class A commercial building contractor, City of Davenport licensed Class B residential new construction contractor, architect, and a resident of Davenport. The board shall be appointed to three year terms by the mayor with the concurrence of the city council. The board may adopt reasonable rules and regulations for conducting their meetings, investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. A simple majority of the board shall constitute a quorum to transact the business of the board. A simple majority of the members present by voice vote shall be required on action by the board.

B. Any person, firm or corporation, or any officer, department, board or bureau aggrieved by any order, requirement, decision or determination made by the building official on all matters pertaining to buildings or structures or occupancy included in the various technical codes shall have the right to appeal to the board within 10 days of the building official's order, decision or determination.

C. An appeal is considered filed upon the submittal of a written notice as specified below and payment of a filing fee of one hundred dollars to the finance department of the city within 10 days of the building officials written or verbal order, decision or determination. Such appeal shall set forth the order appealed from and the reason why the appellant believes it to be incorrect. The board shall hear the appeal and render a decision without unreasonable delay. Any person may appear and testify at the hearing either in person or by duly authorized agent or attorney.

D. The board after hearing the appeal may reverse, affirm, modify or amend the order, requirement, decision or determination appealed from to the extent and in the manner the board may decide is fitting and proper and consistent with the intent and purpose of the applicable code. To that end, the board shall have all the power of the officer from which the appeal is taken. A vote of five members of the board shall be necessary to reverse, modify or amend an order, requirement, decision or determination of the official or to decide any matter wholly or partly, in appellant's favor.

E. Nothing in this subchapter shall be presumed to grant authority relative to the interpretation of the administrative code.

F. From time to time, the board may prepare written recommendations for the consideration of city council in regard to amendments, additions or deletions from the building code.

Section 12: That sections 15.08.220 through 15.08.235 are hereby deleted.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration \_\_\_\_\_,

Second Consideration \_\_\_\_\_,

Third Consideration \_\_\_\_\_,

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_

Jackie E. Holecek, CMC  
Deputy City Clerk

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