**ORDINANCE NO. 6625**

**AN ORDINANCE TO AMEND TITLE 8 PUBLIC SAFETY AND MORALS OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY ENACTING NEW CHAPTER 8.95 "CRYPTOCURRENCY ATM WARNING REQUIREMENT".**

**BE IT ORDAINED**
**BY THE CITY COUNCIL**
**OF THE**
**CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1**. That Title 8 Public Safety and Morals of the 2020 Municipal Code of Council Bluffs, Iowa is hereby amended by enacting new Chapter 8.95 "Cryptocurrency ATM Warning Requirement" to read as follows:

**Chapter 8.95-CRYPTOCURRENCY ATM WARNING REQUIREMENT**

8.95.010 Definitions
8.95.020 Crypto ATM/Bitcoin ATM Warning Requirement
8.95.030 Penalty
8.95.040 Additional Remedies For Violation(s)

**8.95.010 Definitions**

A. Cryptocurrency – A virtual currency that utilizes cryptography to secure transactions that are digitally recorded on a cryptographically secured digital ledger.

B. Crypto ATM/Bitcoin ATM – A stand-alone electronic kiosk or automated teller machine that allows users to buy and sell cryptocurrency in exchange for cash or with the use of a debit or credit card.

C. Blockchain – A decentralized digital ledger that stores information across a network of computers or nodes in blocks that are verified and validated to ensure legitimate and accurate transactions.

**8.95.020 Crypto ATM/Bitcoin ATM Warning Requirement**

A. Any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises shall post a written warning, as described in paragraph B of this section, in a conspicuous, readable position no further than two (2) feet away from the physical Crypto ATM or Bitcoin ATM.

B. Such warning as described in paragraph A of this section shall be provided by the Council Bluffs Police Department in order to protect the safety and welfare of the general public by providing notice to customers and users of Crypto ATM's and/or Bitcoin ATM's of the potential risks of frauds or scams associated with the use of Crypto ATM's and/or Bitcoin ATM's.

**8.95.030 Penalty**

A. It shall be unlawful for any person, business, corporation or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises for failure to provide such warning as described in CMBC 8.95.020.

B. Any violation of this chapter is considered a municipal infraction and is punishable for this specific chapter only, as follows:

1. First Offense - $100.00 plus surcharge and court costs;

2. Second Offense - $250.00 plus surcharge and court costs;

3. Third, and consecutive, offense(s) - $500.00 plus surcharge and court costs.

**8.95.040 Additional Remedies For Violation(s)**

A. In addition to the penalties as outlined in this Chapter, the Council Bluffs Police Department reserves the right to affix the required warning in accordance with CBMC 8.95.020(A) in the event any person, business, corporation, or other entity operating, or providing access to, a functioning Crypto ATM or Bitcoin ATM on its premises fails to do so as required. Any removal of affixed warnings by the Council Bluffs Police Department shall be subject to the penalties as outlined in this Chapter.

**SECTION 2. REPEALER**. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE**. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable 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.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its publication, as by law provided.

PASSED
AND February 10, 2025, 2025.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 1-27-25
Second Consideration: 2-10-25
Public Hearing: n/a
Third Consideration: _____