

ORDINANCE NO.

AN ORDINANCE AMENDING OF THE CODE OF ORDINANCES OF THE CITY OF COON RAPIDS, IOWA, 2002, BY amending CHAPTER 124 PROVIDING FOR MISCELLANEOUS PERMITS FOR RAGBRAI.

BE IT ENACTED by the City Council of the City of Coon Rapids, Iowa:

Section 1: The Code of Ordinances of the City of Coon Rapids, Iowa, 2002, is hereby amended by amending Chapter 124 entitled "RAGBRAI – MISCELLANEOUS PERMITS AND REGULATIONS" to read as follows:

"124.1 PURPOSE. This ordinance is enacted to enable city officials and citizens to deal effectively and efficiently with the public health and safety issues created by the presence of a large number of people in the City of Coon Rapids when the Des Moines Register's Annual Great Bicycle Ride Across Iowa™ (RAGBRAI) passes through the City on July 23, 2018.

124.2 PERMIT REQUIRED. No person, club, group, organization, corporation or entity of any kind shall provide or sell food or beverage, alcoholic or non-alcoholic, or merchandise to the public in Coon Rapids, Iowa, on July 23, 2018, unless said person or entity shall first obtain a Booth Permit from the City Clerk of the City of Coon Rapids. Provided, however, that any person or entity which is a resident of Coon Rapids, Iowa, and in possession of a valid permit issued by the State of Iowa for the sale of food or beverage to be consumed on its premises, or has a current Iowa retail sales tax permit and operates from its regularly established business location shall be exempt from the requirements of this section.

124.3 BOOTH PERMIT FEES. The following fee schedule for Booth Permits is hereby adopted, which fees shall be payable to the City of Coon Rapids Ragbrai Committee:

- a. For-Profit Vendors: \$350
- b. For-Profit Vendors with electricity: \$400
- c. Non-Profit Vendors: \$250
- d. Non-Profit Vendors with electricity: \$300

124.4 BOOTH LOCATION. Vendors may request a specific booth location, but the location of booths will be determined by the Coon Rapids RAGBRAI Committee.

124.5 HEALTH REGULATIONS. A person or entity which has been issued

a Booth Permit pursuant to this Chapter shall comply with the Iowa Department of Health and Any County Department of Health rules and regulations pertaining to the sale and dispensing of food for consumption on its premises.

124.6 NO GLASS CONTAINERS. For safety reasons, all beverages sold in Coon Rapids by Booth Permittees on July 23, 2018 shall be sold in non-glass containers only. This requirement shall also apply to any existing business, restaurant, service station, grocery store or other establishment selling beverages on its premises in an outdoor location open to the public.

124.7 NUISANCE. The sale of food, beverages or merchandise or the erection of a temporary facility for the sale of food, beverages or merchandise without a Booth Permit on July 23, 2018, in violation of the provisions of this Chapter shall be considered a nuisance under Chapter 50 of this Code of Ordinances. Emergency abatement procedures pursuant to Section 50.09 are hereby authorized and may be executed by any peace officer or those acting at their direction by dismantling and removing the nuisance without notice. However, if the only violation of this section is the alleged offender's failure to obtain a proper Booth Permit, the RAGBRAI committee, in lieu of immediate abatement, may allow the person or entity to immediately purchase a permit as provided by this Chapter.

124.8 PENALTIES. Any violation of the provisions of this Chapter shall be a simple misdemeanor punishable by a maximum fine of \$500.00 and/or a maximum of 30 days in jail. Any violation of this Chapter shall also constitute a municipal infraction as provided in Chapter 4 of this Code of Ordinances.

124.9 PERIOD EFFECTIVE. This Chapter shall be effective from 5:00 A.M. to Midnight July 23, 2018.

124.10 STREET CLOSINGS. During the effective period of this Chapter and without prior Council approval, the Chief of Police, or those acting at his direction, may place barricades, road blocks, signs or other devices or persons in any City street, alley or roadway to direct or redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the City limits.

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 section, provision or part of this ordinance shall be judged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as

a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by Law.

Passed by the Council the 7 day of May,
2018, and approved this 7 day of May, 2018.

Mayor

Attest: _____
City Clerk

I certify that the foregoing was published as Ordinance No.
on the _____ day of _____, 2018.

City Clerk