

## ORDINANCE #263

AN ORDINANCE AMENDING SECTION 3.8.12 IN THE CODE OF ORDINANCES OF THE CITY OF KEOTA ADDING "RAGBRAI MISCELLANEOUS PERMITS"

Be it enacted by the City of Keota, Iowa:

SECTION 1: This ordinance as amended is enacted to help the city officials and citizens deal with the public health and safety problems created by the infusion of a large number of people into the City of Keota when the Des Moines Register's Annual Great Bicycle Ride Across Iowa™ (RAGBRAI®) arrives in Keota, Iowa on July 27, 2018 and departs on July 27, 2018.

SECTION 2: That Section 3.8.12 RAGBRAI – Miscellaneous Permits of the Code of Ordinances of the City of Keota, Iowa, be and the same is hereby amended to read as follows:

### RAGBRAI Ordinance – Miscellaneous Permits

Sections:

- 3.8.12.01 Commercial Booth – Permit Required
- 3.8.12.02 Commercial Booth Fees
- 3.8.12.03 Commercial Booth Location
- 3.8.12.04 Health Regulations
- 3.8.12.05 Commercial Booth Non-Food – Permit Required
- 3.8.12.06 Commercial Booth Non-Food Fees
- 3.8.12.07 Commercial Booth Non-Food Location
- 3.8.12.08 Local Non-Profit Organizations
- 3.8.12.09 Glass Containers
- 3.8.12.10 Nuisance
- 3.8.12.11 Violations – Penalties
- 3.8.12.12 Effective Period
- 3.8.12.13 Street Closings

**3.8.12.01 Commercial Booth – Permit Required.** No person, club, group, organization, corporation, or entity of any kind shall provide or sell food and/or beverage to the public in Keota, Iowa on July 27, 2018, unless said person or entity shall first obtain a Commercial Booth Permit from the City of Keota through the City Clerk at 309 E. Broadway Avenue in Keota, Iowa. However, any person or entity which is a resident of Keota and in possession of a valid permit issued by the State of Iowa for the sale of food to be consumed on its premises as of July 1, 2018, or in possession of a current Iowa retail sales tax permit, shall be exempt from the requirements of this Section.

**3.8.12.02 Commercial Booth Fees.** The fee for a Keota Commercial Booth Permit shall be \$300.00 for a 10' X 20' booth space. Each additional 10' X 10' booth space will be \$100.00. Electrical hook-up will be \$50.00 for each outlet box.

**3.8.12.03 Commercial Booth Location.** A vendor who has been granted a Keota Commercial Booth Permit shall locate its temporary sale facility at a location to be determined by the official Keota RAGBRAI Committee.

**3.8.12.04 Health Regulations.** A person or entity issued a Commercial Booth Permit pursuant to this Chapter (a RAGBRAI COMMERCIAL BOOTH PERMITEE herein) shall comply with the Iowa Department of Health and Keokuk County and/or Washington County Department of Health rules and regulations pertaining to the sale and dispensing of food for consumption on its premises.

**3.8.12.05 Commercial Booth Non-Food - Permit Required.** No person, club, group, organization, corporation, or entity of any kind shall provide or sell any goods or services to the public in Keota, Iowa on July 27, 2018, unless said person or entity shall first obtain a Commercial Booth Non-Food Permit from the City of Keota through the City Clerk at 309 E. Broadway Avenue in Keota, Iowa.

**3.8.12.06 Commercial Booth Non-Food Fees.** The fee for a Keota Commercial Booth Permit shall be \$300.00 for a 10' X 20' booth space. Each additional 10' X 10' booth space will be \$100.00. Electrical hook-up will be \$50.00 for each outlet box.

**3.8.12.07 Commercial Booth Non-Food Location.** A vendor who has been granted a Keota Commercial Booth Non-Food Permit shall locate its temporary sale facility at a location to be determined by the official Keota RAGBRAI Committee.

**3.8.12.08 Local Non-Profit Organizations.** Local Non-Profit Organizations that were established before January 1, 2018 and meet regularly within the city limits of Keota, Iowa, are exempt from the Commercial Booth Fee for food and non-food sales. Said organizations shall abide by all regulations and rules stated within this ordinance.

**3.8.12.09 Glass Containers.** To promote safety during RAGBRAI, all beverages sold in Keota, Iowa, by a Commercial Booth permit holders, on July 27, 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 setting open to the public.

**3.8.12.10 Nuisance.** The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a Keota Commercial Booth or Keota Commercial Non-Food Permit on July 27, 2018, in violation of the provisions of this Chapter shall be considered a nuisance, as defined by Section 3.2 of the Keota City Code of Ordinances. If this type of nuisance is determined to exist, an emergency abatement procedure pursuant to Subsection 3.2.8 of the City Code is 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 nuisance or violation of this chapter is the offender's failure to obtain the necessary permit, the official RAGBRAI Committee, in lieu of immediate abatement, may allow the person or organization to immediately purchase (cash only) a necessary permit as provided by the Ordinance.

**3.8.12.11 Violations - Penalties.** Selling or supplying food or merchandise to any person without a Keota Commercial Booth or Keota Commercial Non-Food Permit on July 27, 2018, or any violation of this chapter shall be a simple misdemeanor punishable by a maximum fine of \$500.00 and/or a maximum of thirty (30) days in Jail. Furthermore, any violation of this Chapter shall constitute a municipal infraction, as set forth in the City Code of Ordinances, and, therefore, any civil penalties may likewise be assessed and enforced as set forth.

**3.8.12.13 Street Closings.** During the effective date and times of this ordinance and without prior Council approval regarding the blocking of any city streets, the Police Chief, or those at his direction,

may place barricades or road blocks in any Keota street, alley, or roadway to redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the City limits of the City of Keota.

**SECTION 3: REPEALER.** All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4: SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or party thereof not adjudged invalid or unconstitutional.

**SECTION 5: WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by this Council on \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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Anthony Cansler  
Mayor

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Tomisha Hammes  
City Clerk