

## **ORDINANCE NO. V.13**

### **RAGBRAI SALE OF FOOD AND OTHER MERCHANDISE**

**SECTION 1 - PURPOSE:** The purpose of this ordinance is to provide rules, regulations and restrictions concerning the sale of food, merchandise and alcoholic beverages in the unincorporated areas of Tama County on July 27 and 28, 2023, on which dates Tama County anticipates receiving 16,000 to 20,000 visitors participating in the RAGBRAI event. This ordinance and the provisions contained therein, is enacted for the protection of the health, safety and welfare of both the participants in the RAGBRAI event as well as the citizens of Tama County, Iowa. In addition, this ordinance is intended to assist in economic development and tourism pursuant to Iowa Code Section 23A.2(10)(d).

**SECTION 2 - DEFINITION:** Food and other merchandise shall include, but not be limited to, any and all types of prepared food, finger food, purchased snacks, soda pop, alcohol and any other forms of liquid for consumption by human beings.

**SECTION 3 - FOOD OR MERCHANDISE VENDOR:** No person shall provide or sell food and other merchandise to the public in the unincorporated areas of Tama County, Iowa on July 27 or July 28, 2023, unless the person shall have first obtained a vendor's permit from the County of Tama acting by and through the local Tama Toledo Chamber of Commerce Event Committee. An exemption to this requirement is provided in Section 8.

**SECTION 4 - VENDOR FEES:** The fee for a Food or Merchandise Vendor's Permit shall be established by the local Tama Toledo Chamber of Commerce Event Committee. A food vendor's permit shall be granted on the condition that the food vendor locate his or her sale stand at a location to be determined by the County of Tama, acting through local Tama Toledo Chamber of Commerce Event Committee. All food vendors shall comply with all laws, rules and regulations promulgated by the Iowa Department of Health Rules and Regulations relating to and governing the sale of food for consumption.

**SECTION 5 - TEMPORARY STAND:** Temporary stands for the sale of food or other merchandise in the unincorporated areas of Tama County shall be permitted only at locations designated by the County of Tama acting through the local Tama Toledo Chamber of Commerce Event Committee. This provision does not apply to those persons or businesses, having a temporary stand on their licensed property, that are excepted from following this ordinance as set forth in Section 8 of this ordinance.

**SECTION 6 - NUISANCE:** The sale of food or other merchandise or the location of a temporary stand for the sale of food or merchandise or the sale of beverages without a permit is hereby declared to be a nuisance, unless the vendor is exempt as defined in Section 8 of this ordinance. Any member of the Tama County Law Enforcement, or its designees, are hereby empowered to cause any offending food stand or temporary stand where food or

other merchandise or beverages are being dispensed in violation of this ordinance to be immediately dismantled and removed without notice.

SECTION 7 - MISDEMEANOR: It shall be a simple misdemeanor for any person to sell or supply food or other merchandise in the unincorporated areas of Tama County, Iowa on July 27 and July 28, 2023, without first having obtained a food vendor permit through the local Tama Toledo Chamber of Commerce Event Committee.

SECTION 8 - EXCEPTION: It shall not be a violation of this ordinance, and no vendor's permit shall be required for any person to sell or supply food or other merchandise in the unincorporated areas of Tama County, Iowa on July 27 and July 28, 2023 Tama Toledo Chamber of Commerce Event Committee on his or her previously licensed premises, provided that the person was in possession of a current Iowa Permit for the sale of food for consumption or merchandise or the sale of alcohol for consumption.

SECTION 9 - REPEALER: Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10 - SEVERABILITY CLAUSE: If any sections, provision or part of this ordinance shall be adjudged 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 11 - EFFECTIVE DATE: This Ordinance shall become effective after its final passage, approval, and publication as provided by law.

Passed by the Tama County Board of Supervisors on this 19<sup>th</sup> day of June, 2023.

Tama County Board of Supervisors

*William F. ...*, Chair