

CITY OF TOLEDO

ORDINANCE NO. 2023-05

AN ORDINANCE TO AMEND CHAPTER 1 OF THE CITY CODE OF TOLEDO, IOWA, BY ADDING THERETO AS SECTION 1.15 THE FOLLOWING REGULATIONS GOVERNING RAGBRAI FOR THE PURPOSE OF ASSISTING CITY OFFICIALS, LAW ENFORCEMENT OFFICERS, AND THE RAGBRAI COMMITTEE TO DEAL WITH THE PUBLIC HEALTH AND SAFETY ISSUES CREATED BY THE INFUSION OF A LARGE NUMBER OF PEOPLE INTO THE CITY OF TOLEDO WHEN THE DES MOINES REGISTER’S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ARRIVES IN TOLEDO ON JULY 27, 2023 AND DEPARTS ON JULY 28, 2023.

Be it Ordained by the City Council of the City of Toledo, Iowa:

SECTION 1. That Chapter 1 of the City Code of TOLEDO, Iowa, is hereby amended by adding thereto as Section 1.15, designated as “RAGBRAI Ordinance”, which because of its temporary nature shall not be printed as part of the permanent Code of Ordinances. The RAGBRAI Ordinance is the following, to-wit:

SECTION 1.15

RAGBRAI ACTIVITIES

1. VENDOR BOOTH PERMIT. No person, club, group, organization, or entity shall provide or sell food, beverages, or merchandise of any kind to the public on July 27, 2023, and/or July 28, 2023, without first obtaining a Vendor Permit from the City of Toledo, Iowa, acting through the Tama-Toledo Chamber of Commerce as follows:

- a. The sale of food, beverages or merchandise, shall require the prior issuance of a Vendor Permit except that a vendor permit shall not be required for a business or entity who sells food, beverages or merchandise within their normal operations and does not expand outside, for example, a parking lot or street. Sales conducted on existing business locations by any person, club, group, organization or entity which is a resident of Tama County, Iowa, and is the holder of a valid permit issued by the State of Iowa for the sale of food to be consumed on its premises as of June 1, 2023, or is in possession of a current Iowa retail sales tax permit. For purposes of this section, the Tama Pork Producers and the Tama Cattlemen’s Association shall be deemed to be residents of Tama County, Iowa.
- b. The sale of merchandise at a site other than at a regular place of business in existence and operating prior to June 1, 2023, shall require the prior issuance of a Vendor Permit.

2. VENDOR BOOTH FEES. The fees for Vendor Permits shall be as follows:

a.	Non-Profit	-	\$300.00
b.	Local Profit	-	\$600.00
c.	Electricity	-	subject to availability in the discretion of the City of Toledo, electrical service shall require the payment of an additional \$100.00 fee per permit

Each vendor permit shall entitle the permittee to one 20-foot x 20-foot site. For purposes of this Section, a local vendor is any resident of Tama County, Iowa.

3. VENDOR BOOTH LOCATION. Temporary stands for the sale of food, beverages, or merchandise shall be permitted only at locations designated by the City of Toledo, Iowa, acting through the Tama-Toledo Chamber of Commerce.

4. STATE AND COUNTY REGULATIONS. Compliance with all applicable county and state regulations shall be deemed a condition for the issuance of and operation under a Vendor Permit. All food vendors shall comply with all laws, rules and regulations set forth by the Iowa Department of Inspections and Appeals licensing rules for events relating to and governing the sale of food for consumption.

5. BEVERAGE CONTAINERS. All sales of beverages by Vendor Permit holders or by any establishment selling beverages on its premises in an outdoor setting open to the public shall be in a non-glass container.

6. ALCOHOL IN PARK AREA. For the duration of the time period covered by this Ordinance alcohol shall be permitted within the area known as Toledo Heights Park.

7. VIOLATIONS. The sale of food, beverages or merchandise in violation of the terms of this ordinance is declared to be a nuisance and a violation of the Toledo City Code and may be abated by the dismantling and removal of stands which are in violation hereof, which shall be in addition to all other available remedies including prosecution as a misdemeanor or municipal infraction.

SECTION 2. That Resolution No. 04142008 and 2008 Toledo Ordinance is hereby repealed in its entirety.

SECTION 3. That this ordinance 2023-05, which is an amendment to the City Code of Toledo, Iowa shall be in full force and effect from and after the proceedings required by law in connection therewith and from and after its final passage and publication as provided by law.

ROLL CALL VOTE:

Present:	Vote:	
<u>X</u> Cremeans	Aye <u>X</u>	Nay _____
<u>X</u> Cook	Aye <u>X</u>	Nay _____
_____ Pansegrau	Aye _____	Nay _____
<u>X</u> Boll	Aye <u>X</u>	Nay _____
<u>X</u> Goodhart	Aye <u>X</u>	Nay _____

Passed and approved by the Council this 26th day of June, 2023.



CITY OF TOLEDO, IOWA

By: [Signature]
Brian Sokol, Mayor

Attest: [Signature]
Kim McAdoo, City clerk

First Reading: June 26, 2023 ;

Second Reading: Waived ;

Third Reading: Waived .