

Resolution 22-18

RAGBRAI Resolution

SECTION 1-PURPOSE: To control safety and well being of the public during the RAGBRAI visit in Ida County, Iowa on July 24, 2022 and July 25, 2022.

SECTION 2-DEFINITIONS: Vendors shall include any person, association, club, group, corporation, organization, or other entity that sells or distributes any foods, beverages, services or any other merchandise to the public or erects a temporary stand or distribution area, in the unincorporated areas of Ida County, Iowa on July 24, 2022 or July 25, 2022.

SECTION 3-REQUIREMENTS: Selling or supplying food, beverages, services, or merchandise to any person without a Commercial Booth Permit on July 24, 2022 or July 25, 2022, or allowing such sale or distribution on their property (rental or owned) or any violation of this chapter shall be a simple misdemeanor punishable by a maximum fine of \$500 and/or a maximum of 30 days in jail. Furthermore, any violation of this chapter shall constitute an infraction as set forth in Iowa Code 657.1 and therefore, any civil penalties may likewise be assessed and enforced. These criminal and civil penalties shall apply to the person or entity sponsoring or owning the items being sold or distributed, to each person doing the sales or distribution and to each person allowing the sale or distribution on their (rental or owned) land. Each separate sale or distribution is a separate criminal and civil violation.

SECTION 4-PERMITS: applications for Commercial Booth permits for the unincorporated area of Ida County may be obtained from the <https://.ragbrai.com> website-under overnight category/Ida Grove or at Ida Grove City Hall-311 Barnes St., Ida Grove, IA 51445 or on the <https://idagroveia.com> website or the <https://idacounty.iowa.gov> website. To avoid a late fee the completed application must be received by the Ida Grove RAGBRAI Vendor Committee, 311 Barnes St., Ida Grove, IA 51445 no later than June 1, 2022. Applications must include proof of insurance and the vendor fee.

A copy of the permit shall be maintained at the location at all times and produced immediately upon request by any law enforcement official or member of the Ida Grove RAGBRAI committee, including the food and nonfood vendor committees, or those acting on their direction.

A person or entity issued a commercial booth permit shall comply with the Iowa Department of Health and Ida County Department of Health and the Iowa Department of Inspections and Appeals relating to rules and regulations pertaining to the sale and dispensing of food for consumption. All vendors must also be aware of COVID-19 recommendations.

To promote safety during RAGBRAI, all beverages sold in Ida County, Iowa by commercial booth permittees, On July 24, 2022, and until 10:00 a.m. on July 25, 2022 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.

The Vendor Committee shall ensure that a full refund of the application fee is sent to any vendor whose application is denied.

SECTION 5 FEES:

- 1) The fees for a commercial booth are as follows:

- a) Ida County resident nonprofit: \$300
- b) Ida County resident commercial: \$400
- c) Non-Ida County Resident: \$600

In addition to the above fees, applications received after June 1, 2022 are surcharged as below:

- d) Ida County resident nonprofit and Ida County resident commercial: \$100
 - e) Non-Ida County resident: \$200
- 2) "Ida County Resident" is a person or entity with a bona fide Ida County, Iowa residence established prior to March 1, 2022.
 - 3) "Nonprofit" is an organization established under IRS 501(c)(3), a governmental entity, or a similar organization where the profit or proceeds benefits the public. Organizations are required to submit, upon request of an Ida Grove RAGBRAI vendor committee: a) contracts with any vendor that operates or supplies their booth, to ensure that the public will benefit from the booth; b) proof of their nonprofit status; and c) a schedule of workers in the booth, showing their names, telephone numbers, addresses and dates of affiliation with the nonprofit group.
 - 4) Exceptions to this section are subject to approval by the Ida Grove RAGBRAI committee.

SECTION 6- VENDING COMMITTEE JURISDICTION: The Vending Committee jurisdiction shall be considered any unincorporated area within the Ida County exterior boundaries. The jurisdiction will also include the Ida County Courthouse lawn.

SECTION 7-NUISANCE: The sale or distribution of food, beverages, services or other merchandise, or the erection of a temporary facility for the sale or distribution of food, beverages, services, or other merchandise without a Commercial Booth Permit on July 24, 2022, or July 25, 2022, in violation of the provisions of this Chapter shall be considered a nuisance, as defined by Section 657.1 of the Iowa Code. If this type of nuisance is determined to exist, an emergency abatement procedure pursuant to Section 331.384 of the Iowa Code is hereby authorized and may be executed by any peace officer, any member of the Ida Grove RAGBRAI Committee, including the Food and Non-Food Vendor Committees, 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 Ida Grove RAGBRAI committee, in lieu of immediate abatement, may allow the person or organization to immediately purchase a necessary permit as provided by this chapter, including providing proof of insurance and a complete application.

SECTION 8-ROAD CLOSINGS

On July 24, 2022, and July 25, 2022, without prior Board of Supervisor approval regarding the blocking/closing roads, any Ida County law enforcement officer or County Engineer employee acting at their direction, may place barricades or road blocks in any county road to redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the rural area of Ida County.

SECTION 9-REPEALER: Any Resolutions/Ordinances or parts of Resolutions/Ordinances in conflict with the provisions of this Resolution are hereby repealed.

SECTION 10-SEVERABILITY CLAUSE

If any section, provision or part of the Resolution shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the Resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 11-EFFECTIVE DATE

The provisions of this Resolution shall be in effect upon passage by the Ida County Board of Supervisors and published as required by law and remain in effect until 7:00 p.m. on July 25, 2022, except that actions to enforce violations may be commenced after July 25, 2022.

Approved by the Board of Supervisors on this 26th day of April, 2022 by the following vote:

AYES: Raymond Berg
[Signature]

NAYES: _____

ATTEST: Shelley Bruning
