

DAVIS COUNTY, IOWA
ORDINANCE NO. 28

AN ORDINANCE FOR DAVIS COUNTY, IOWA AND ENTITLED “RAGBRAI – MISCELLANEOUS PERMITS”

Be it enacted by Davis County of Bloomfield, Iowa:

SECTION 1: This ordinance is enacted to help county officials and citizens deal with the public health and safety problems created by the infusion of a large number of people into Davis County, Iowa when the Des Moines Register’s Annual Great Bicycle Ride Across Iowa™ (RAGBRAI) arrives in Davis County, Iowa on July 25, 2019.

SECTION 2: This Ordinance RAGBRAI – Miscellaneous Permits for Davis County, Iowa, and the same is hereby added to read as follows:

Ordinance No. 28
RAGBRAI Ordinance – Miscellaneous Permits

Sections:

- (a) Commercial Booth – Permit Required**
- (b) Commercial Booth Fees**
- (c) Commercial Booth Location**
- (d) Health Regulations**
- (e) Glass Containers**
- (f) Nuisance**
- (g) Violations-Penalty**
- (h) Effective Period**

- (a) Commercial Booth – Permit Required.** No person, club, group, organization, corporation or entity of any kind shall provide or sell food to the public in Davis County, Iowa on July 25, 2019, unless said person or entity shall first obtain a Commercial Booth Permit from Bloomfield Main Street located at 101 E. Franklin Street in Bloomfield, Iowa. However, any person or entity which is a resident of Davis County 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 June 1, 2019, or in possession of a current Iowa retail sales tax permit, shall be exempt from the requirements of this Section.
- (b) Commercial Booth Fees.** The fee for a Bloomfield Commercial Booth Permit shall be set by Bloomfield Main Street.
- (c) Commercial Booth Location.** A vendor who has been granted a Bloomfield Commercial Booth permit shall locate its temporary sale facility at a location to be determined by the official Bloomfield RAGBRAI Committee.

- (d) **Health Regulations.** A person or entity issued a commercial booth permit pursuant to this Chapter (a RAGBRAI COMMERCIAL BOOTH PERMITTEE herein) shall comply with the Iowa Department of Health and ADLM Counties Environmental Public Health rules and regulations pertaining to the sale and dispensing of food for consumption on its premises.
- (e) **Glass Containers.** To promote safety during RAGBRAI, all beverages sold in Bloomfield, Iowa, by Commercial Booth permittees, on July 25, 2019, 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.
- (f) **Nuisance.** The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a Bloomfield Commercial Booth permit on July 25, 2019, in violation of the provisions of this Ordinance shall be considered a nuisance. If a nuisance is determined to exist, an emergency abatement 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 RAGBRAI Committee, in lieu of immediate abatement, may allow the person or organization to immediately purchase (cash only) a necessary permit provided by this Ordinance.
- (g) **Violations – Penalties.** Selling or supplying food or merchandise to any person without a Bloomfield Commercial Booth permit on July 25, 2019, 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.
- (h) **Effective Period.** The provisions of this ordinance shall be effective from 9:00 p.m. (local time) on July 24, 2019, until 5:00 p.m. (local time) on July 25, 2019.

SECTION 3. 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 4. 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 Board on the 28th day of May, 2019.

DAVIS COUNTY, IOWA, Acting by and through its Board of Supervisors

By Alan Zednik
Chairman

By Matt Bremer
Member

By _____ absent
Member

ATTEST:

Linda Humphrey
Davis County Auditor

