

CITY OF GRISWOLD, IOWA

ORDINANCE 3-2011

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GRISWOLD, IOWA, 2010, BY ADDING TITLE VII, CHAPTER 6, ENTITLED “RAGBRAI- MISCELLANEOUS PERMITS”

BE IT ENACTED by the City Council of the City of Griswold, Iowa:

SECTION 1. This ordinance as amended is enacted to help city officials and citizens deal with the public health and safety problems created by the infusion of a large number of people in the City of Griswold when the Des Moines Register’s Annual Great Bike Ride Across Iowa™ (RAGBRAI®) arrives in Griswold on July 24, 2011, and departs on July 24, 2011.

SECTION 2. NEW CHAPTER. The Code of Ordinances of the City of Griswold, Iowa is amended by adding a new Chapter 6 to Title VII- Special Ordinances, entitled RAGBRAI-MISCELLANEOUS PERMITS, which is hereby adopted to read as follows:

7-6-1	Commercial Food Booth—Permit Required
7-6-2	Commercial Food Booth Fees
7-6-3	Commercial Food Booth Location
7-6-4	Health Regulations
7-6-5	Commercial Non-Food Booth—Permit Required
7-6-6	Commercial Non-Food Booth Fees
7-6-7	Commercial Non-Food Booth Location
7-6-8	Glass Containers
7-6-9	Nuisance
7-6-10	Violations—Penalties
7-6-11	Effective Period
7-6-12	Street Closings

7-6-1 COMMERCIAL FOOD BOOTH—PERMIT REQUIRED. No person, club, group, organization, corporation, or entity of any kind shall provide or sell food to the public in Griswold on July 24, 2011, unless said person or entity shall first obtain a Commercial Booth Permit from the City of Griswold through the City Clerk located at 601 2nd Street in Griswold, Iowa. However any person or entity which is a resident of Cass 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 30, 2011, or in possession of a current Iowa retail sales tax permits, shall be exempt from the requirements of this Section. For the purposes of this Section, the Cass County Pork Producers and the Cass County Cattleman’s Association shall each be deemed to be a resident of Griswold.

7-6-2 COMMERCIAL FOOD BOOTH FEES. The fee for Griswold Commercial Booth Permit shall be \$200 for non-profit food booths within the Griswold Community

School District, \$300 for for-profit food booths within the Griswold Community School District, and \$400 for any food booth outside of the Griswold Community School District.

7-6-3 COMMERCIAL FOOD BOOTH LOCATION. A vendor who has been granted a Griswold Commercial Booth permit shall locate its temporary sale facility at a location to be determined by the official Griswold RAGBRAI Committee.

7-6-4 HEALTH REGULATIONS. A person or entity issued a commercial booth permit pursuant to the Chapter (a RAGBRAI COMMERCIAL BOOTH PERMITTEE herein) shall comply with the Iowa Department of Health and Western Iowa Regional Inspections rules and regulations pertaining to the sale and dispensing of food for consumption on its premises.

7-6-5 COMMERCIAL NON-FOOD BOOTH—PERMIT REQUIRED. No person, club, group, organization, corporation or entity of any kind which is in business in Griswold shall sell merchandise to the public on July 24, 2011, at a location other than their regularly established place of business unless said person or entity shall first obtain a Commercial Booth Non-Food Permit from the City of Griswold through the City Clerk located at 601 2nd Street in Griswold, Iowa. Those Griswold businesses, which operate only from their regularly established locations, are exempt from the requirements of this section.

7-6-6 COMMERCIAL NON-FOOD BOOTH FEES. The fee for a Griswold Commercial Booth Non-Food permit shall be \$100.

7-6-7 COMMERCIAL NON-FOOD BOOTH LOCATION. A Commercial Booth Non-Food permittee who has been granted a Griswold Commercial Booth Non-Food permit shall locate its temporary facility at a location to be determined by the Griswold RAGBRAI Committee.

7-6-8 GLASS CONTAINERS. To promote safety during RAGBRAI, all beverages sold in Griswold, Iowa, by Commercial Booth permittees on July 24, 2011 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.

7-6-9 NUISANCE. The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a Griswold Commercial Booth or Griswold Commercial Booth Non-Food permit on July 24, 2011, in violation of the provisions of this Chapter shall be considered a nuisance, as defined by Title III, Chapter 2 of the Griswold Code of Ordinances. If this type of nuisance is determined to exist, an emergency abatement procedure pursuant to Subsection 3-2-8 of the Griswold Code of Ordinances 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 a necessary permit as provided by this Ordinance.

7-6-10 VIOLATIONS—PENALTIES. Selling or supplying food or merchandise to any person without a Griswold Commercial Booth or Griswold Commercial Booth Non-Food permit on July 24, 2011, 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 for the Title I, Chapter 3 of the Griswold Code of Ordinances, and therefore, any civil penalties may likewise be assessed and enforced as set forth.

7-6-11 EFFECTIVE PERIOD. The provisions of this ordinance shall be effective from 7:00 a.m. on July 24, 2011, to 4:00 p.m. on July 24, 2011.

7-6-12 STREET CLOSINGS. During the effective date of this ordinance and without prior Council approval regarding the blocking of any city streets, any Cass County Sheriff's Department deputy, or those at their direction, may place barricades or road blocks in any City 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 Griswold.

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 part thereof no adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in full force and effect upon its passage and publication, as required by law.

PASSED and APPROVED by the City Council of the City of Griswold on the _____ day of _____, 2011.

Jerry Putnam, Mayor

Marylynne Dickinson, City Clerk