

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 19th day of June, 2023.

Tama County Board of Supervisors


William Faircloth, Chair

ATTEST:


Laura Kopsa, Tama County Auditor

TAMA COUNTY BOARD OF SUPERVISORS

P.O. Box 61, 104 W. State Street, Toledo, Iowa 52342

(515) 484-3980 FAX (515) 484-5127

Curt Hilmer, 1st District Supervisor
Bill Faircloth, 2nd District Supervisor, Chair
Dan Anderson, 3rd District Supervisor

Resolution # 06-19-2023B

Ordinance #V.13 RAGBRAI Sale of Food and Other Merchandise

WHEREAS, the Board held a public hearing on June 12th concerning the proposed Ordinance #V.13 RAGBRAI Sale of Food and Other Merchandise, and

WHEREAS, there were no written or verbal objections to the proposed Ordinance #V.13, and

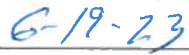
WHEREAS, the Board approved waiving the second and third reading of proposed Ordinance #V.13,

THEREFORE, BE IT RESOLVED upon the final publication of this Ordinance it be enrolled in the County's book of ordinances and in effect on the date of publication.

Roll Call Vote: Hilmer, aye. Faircloth, aye. Anderson, aye. Resolution passed and adopted this 19th day of June, 2023. Bill Faircloth, Chairman, Tama County Board of Supervisors. Laura Kopsa, County Auditor.



Bill Faircloth, Chair, Board of Supervisors




Date

Attest:



Laura Kopsa, Tama County Auditor



Date

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
Tama County, ss.

I, Melissa Wendland, being first duly sworn, on oath depose and say that Tama-Toledo News Chronicle Newspaper, LLC is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Tama, Iowa; that the "Tama-Toledo News Chronicle" is a Weekly newspaper of general circulation in Tama County printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Tama-Toledo News Chronicle" once each week for:

1 consecutive weeks on the days and dates as follows, to-wit:

23 Jun 2023

Statutory fees for publishing said notice are:

\$51.12

Melissa Wendland

Sworn to before me and subscribed in my presence by the said Melissa Wendland, this

23 day of June 2023

NOTARIAL SEAL
ANNETTE MACKAY
Commission Number 830781
My Commission Expires
3-17-2024
IOWA

Annette Mackay
Annette Mackay, Notary Public
Marshall County, Iowa
Commission No. 830781
Commission Expires March 17, 2024

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Bill Faircloth, Chairman,
Tama County Board of Supervisors.
Laura Kopsa, County Auditor.
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23, 2023

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