

CARROLL COUNTY, IOWA
ORDINANCE NO. 27

AN ORDINANCE of the County of Carroll, Iowa, prohibiting the sale of food, beverages, services or the distribution of any other merchandise to the public by way of temporary stand or distribution area in the unincorporated areas of Carroll County on July 24, 2006 with certain exemptions.

Section 1. The Ordinances of the County of Carroll, Iowa, are amended by adopting new provisions in the form attached hereto entitled RAGBRAI Commercial Booth Sale of Food and Other Merchandise.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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 the ordinance as a whole or any section, provision or part 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.

PUBLIC HEARING on the 12th day of June, 2006

FIRST READING _____ OR WAIVED XXX

ROLL CALL VOTE: Neil Bock, aye; Del McDermott, aye; Marty Danzer, aye; Gene Meiners, aye; Neil Trobak, aye.

s/Eugene Meiners, Chair

Attest: Paul S. Fricke, Auditor

SECOND READING _____ OR WAIVED XXX

ROLL CALL VOTE: Neil Bock, aye; Del McDermott, aye; Marty Danzer, aye; Gene Meiners, aye; Neil Trobak, aye.

s/Eugene Meiners, Chair

Attest: Paul S. Fricke, Auditor

THIRD READING _____ OR WAIVED XXX

ROLL CALL VOTE: Neil Bock, aye; Del McDermott, aye; Marty Danzer, aye; Gene Meiners, aye; Neil Trobak, aye.

s/Eugene Meiners, Chair

Attest: Paul S. Fricke, Auditor

PASSED AND APPROVED June 12, 2006

ROLL CALL VOTE: Neil Bock, aye; Del McDermott, aye; Marty Danzer, aye; Gene Meiners, aye; Neil Trobak, aye.

s/Eugene Meiners, Chair

Attest: Paul S. Fricke

Published in a legal newspaper: Daily Times Herald and Coon Rapids Enterprise on the 29th day of June, 2006.

Attest: Paul S. Fricke, Auditor

**Carroll County Iowa
RAGBRAI Commercial Booth
Sale of Food and Other Merchandise**

Section 1 – PURPOSE: To control safety and well being of the public during the RAGBRAI visit to Carroll County, Iowa on July 24, 2006.

Section 2 – DEFINITIONS: Vendors shall include any person, association, corporation, organization, or other entity that sells food, beverages, services or distributes any other merchandise to the public by way of temporary stand or distribution area in the unincorporated areas of Carroll County, Iowa on July 24, 2006.

Section 3 – REQUIREMENTS: The sale of food, beverages, services and distribution of merchandise on the location of a temporary stand for the sale of food, beverages, services or distributes any other merchandise without a Commercial Booth Permit is hereby declared to be in violation of this ordinance. It shall be a simple misdemeanor for

any person to sell or supply food, beverages, services or merchandise in the unincorporated areas of Carroll County, Iowa on July 24, 2006, without obtaining a Commercial Booth Permit with the exception set out in Section 7 below.

Each separate sale after the vendor is told of the need for a permit shall be deemed a separate violation of this ordinance and each sale is subject to the maximum fine of \$100.00 or 3 days in jail for a simple misdemeanor.

Section 4 – PERMITS: Applications for permits for the unincorporated areas of Carroll County north of County Road E46 (240th St) may be obtained from Arcadia City Hall located at 205 W. Front St. in Arcadia, Iowa. You can also obtain an application by writing to the Arcadia RAGBRAI Vendors Committee, 1018 Division St, Arcadia, Iowa 51430. The application shall be submitted to the Arcadia RAGBRAI Vending Committee no later than June 30, 2006. Application fees do apply. Applications for permits for the unincorporated areas of Carroll County south of County road E46 (240th St.) may be obtained from Manning City Hall, located at 717 3rd Street in Manning, Iowa. You can also obtain an application by writing to the Manning RAGBRAI Vendors Committee at PO Box 345 Manning, Iowa, 51455. The application shall be submitted to the Manning RAGBRAI Vending Committee no later than July 15, 2006. Application fees do apply.

Vendors applying for a permit shall be required to show proof of adequate insurance and possession of all necessary licenses and permits. Food and beverage vendors must comply with all laws, rules and regulations promulgated by the Iowa Department of Inspections and Appeals relating to and governing the sale of food consumption.

The application shall be reviewed by the appropriate City's Vending Committees to ensure that all requirements and safety issues have been addressed. A plan of placement shall be developed with the interest of safety and the well being of the general public and the RAGBRAI riders in mind and will take into consideration the request of the applying vendor.

The Vending Committees shall then develop a plan of placement for the vendor. A vendor's permit shall be granted if all requirements and safety issues are met and on the condition that the vendor locate his or her sale stand at the location to be determined in the plan of placement.

The Vending Committees shall ensure that the notice is sent to any vendor whose application is denied or whose request placement is altered. The vendor is required to locate where the plan of placement places him or her.

Section 5 – VENDING COMMITTEE JURISDICTION: The vending committee jurisdiction shall be considered any unincorporated area within the Carroll County exterior boundaries not to exceed 5 miles. The jurisdiction will also include the Carroll County Courthouse lawn.

Section 6 – REPEALER: Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 7 – 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 8 – EFFECTIVE DATE: This ordinance shall become effective after its final passage and approval.