

AN ORDINANCE AMENDING JEFFERSON COUNTY CODE OF ORDINANCES,
ADDING CHAPTER 2-60 ESTABLISHING A POLICY FOR THE HEALTH AND
SAFETY OF PERSONS PARTICIPATING IN RAGBRAI 2019.

BE IT ENACTED BY THE JEFFERSON COUNTY BOARD OF SUPERVISORS THAT:

I. Amendment. The Jefferson County Code of Ordinances is amended by adding Chapter 2-60, which states:

“Chapter 2-60. RAGBRAI ORDINANCE.

SECTION 1. Purpose. To control safety and well-being of the public during the RAGBRAI visit to Jefferson County, Iowa on the 25th and 26th of July, 2019.

SECTION 2. Definitions. For use in this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

1. "Food" shall include food products of all kind including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.
2. “Merchandise” shall mean all goods offered for sale other than food as defined by this ordinance.
3. "Person" shall include any individual person, club, group, organization, partnership, corporation or entity of any kind.
4. The RAGBRAI Committee for purposes herein shall be defined as the Advisory Board and the Executive Committee as designated by the City and the Fairfield Iowa Convention & Visitors Bureau known as Fairfield RAGBRAI 2019.
5. “Services” shall mean work performed for a fee, whether monetary or otherwise, for the benefit others.
6. "Vendor" shall include any person that sells food, services, or merchandise to the public by way of a temporary stand or distribution area in the unincorporated areas of Jefferson County, Iowa on July 25th and/or July 26th 2019.

SECTION 3. Requirements.

1. The sale of food, services, or merchandise, or the location of a temporary stand or mobile production vehicle for the sale of food, services or merchandise, without a permit, is hereby declared to be in violation of this Ordinance.

2. It shall be a simple misdemeanor for any Vendor, as defined by this Ordinance, to operate within any unincorporated area of Jefferson County, Iowa, on July 25, 2019 and/or July 26, 2019 without having first obtained a Vendor's Permit, with the exception set forth in Section 5 below, or to violate any other provision of this Ordinance or of a permit herein issued.

3. Any person found guilty of a simple misdemeanor under this Ordinance faces penalties defined in Jefferson County Ordinance 1-20.

SECTION 4. Permits.

1. Applications for permits for the unincorporated area of Jefferson County may be obtained from the Fairfield RAGBRAI Committee. All applications shall be submitted to the RAGBRAI Committee no later than June 14, 2019 and shall include an application fee in the amount of \$100 for Non-Profit Organizations and \$300 for all others, which shall be refunded in the event a permit is denied or otherwise not issued.

2. Vendors applying for a permit shall be required to provide proof of adequate insurance and possession all necessary licenses and permits.

3. Food Vendors must comply with all laws, rules and regulations promulgated by the State of Iowa and specifically by the Iowa Department of Inspections and Appeals as relating to and governing the sale and consumption of food and/or the Iowa Alcoholic Beverage Division as relating to and governing the sale and consumption of alcoholic beverages.

4. All permits issued shall include mandatory closing time(s). All outdoor Vendors shall comply with the stated closing time(s) as set forth on the issued permit.

5. Applications shall be reviewed by the RAGBRAI committee who shall then make recommendations to the Jefferson County Board of Supervisor. The Board of Supervisors shall approve all permits and have sole discretion to deny a permit after taking into consideration the RAGBRAI Committee's recommendation and any appropriate county officials to ensure that all requirements and safety issues have been satisfactorily addressed.

6. A Vendor who has been granted a Vendor's Permit shall locate its temporary operation at a specific location, an only at that location, as determined by the RAGBRAI Committee and the Board of Supervisors.

7. No permits shall be issued for Vendor placement within a three-mile portion of the official RAGBRAI route immediately preceding the city limits of Libertyville, Iowa and Fairfield, Iowa.

8. In addition to #7 above, no permits shall be issued at any location more than ½ mile off of the official RAGBRAI route.

SECTION 5. Exceptions. No Vendor's permit shall be required for food, services or merchandise upon previously licensed premises, providing the selling entity is in compliance with Iowa Law and is in possession of all necessary permits and/or licenses.

SECTION 6. Glass. No outdoor Vendor shall use or distribute glass bottles or other glass containers for food or beverages. Such use is restricted as a safety issue.

SECTION 7. Conflicts of Law. During the applicable period of this Ordinance, this Ordinance shall take precedence over any existing Ordinance(s) or any portion(s) or provision(s) of any existing ordinance(s) which are or may be construed to be in conflict with this Ordinance. Following the applicable time period of this Ordinance, such previous Ordinance(s) or portions(s) or provision(s) thereof, shall remain in full force and effect.

SECTION 8. Applicable Period.

1. This Ordinance shall become effective upon its final passage and approval by the Jefferson County Board of Supervisors.

2. This Ordinance shall sunset and become ineffective at 12:01 AM on the 27th day of July, 2019.”

II. Severability Clause. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this document, which are separable from the unlawful provision shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

III. Publication, Hearing, Approval, Adoption, and Filing of:

AN ORDINANCE AMENDING JEFFERSON COUNTY CODE OF ORDINANCES, ADDING CHAPTER 2-60 ESTABLISHING A POLICY FOR THE HEALTH AND SAFETY OF PERSONS PARTICIPATING IN RAGBRAI 2019.

Public hearing notice published on May 2, 2019 and May 9, 2019 in Fairfield Ledger and Clarion-Plainsman.

First Reading on May 6, 2019.

Second Reading on May 20, 2019.

Third Reading waived.

Passed by the Board of Supervisors on this 20th day of May, 2019.

Lee Dimmitt
Chairperson
Dee Sandquist
Supervisor
Daryn J. Hamilton
Supervisor

Attest:
Scott Reneker
County Auditor

Publication of full text on May 28, 2019, in Fairfield Ledger and May 30, 2019 in
Clarion-Plainsman.