

ORDINANCE No. 830

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE
ENTITLED RAGBRAI – MISCELLANEOUS PERMITS

Be it Enacted by the City Council of the City of Clear Lake, Iowa:

Section 1: This Ordinance 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 into the City of Clear Lake when the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI) arrives in Clear Lake on July 25, 2017, and departs on July 26, 2017.

Section 2: That Chapter 122 (Peddlers, Solicitors, and Transient Merchants) of the Code of Ordinances of the City of Clear Lake, Iowa, is hereby amended to add the following:

122.20 VENDOR – PERMIT REQUIRED. No person or entity other than the licensed establishments shall provide or sell food or other merchandise to the public in Clear Lake on July 25, 2017 and July 26, 2017, unless the person or entity has first obtained a Vendor permit from the official Clear Lake RAGBRAI Vendor Committee.

122.21 VENDOR FEES. The fee for a Vendor Permit shall be as follows:

- a. Base Rate: The base rate shall be \$300 for a non-profit Vendor; and \$750 for a for-profit Vendor.
- b. Electrical Fee: In addition to the base rate, each vendor utilizing electricity will be assessed an additional \$75.
- c. Clean-Up deposit: Upon arrival on July 25, 2017 and before setup can begin each Vendor will be required to submit a \$100 clean-up deposit.

122.22 VENDOR LOCATION. Each Vendor Permit shall be granted and remain valid only on condition that the vendor locate at an approved location as designated in the Vendor Permit and comply with all the applicable Federal, State, County and Municipal laws, ordinances, rules, and regulations.

122.23 HEALTH REGULATIONS. A person or entity issued a Vendor Permit by the Clear Lake RAGBRAI Vendor Committee shall comply with the Iowa Department of Health and Any County Department of Health rules and regulations pertaining to the sale and dispensing of food or beverages for consumption.

122.24 GLASS CONTAINERS. To promote safety and to be Earth friendly during RAGBRAI, all beverages sold in Clear Lake, Iowa, by Vendor Permittees, on July 25, 2017 and July 26, 2017, 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.

122.25 BEVERAGE GARDEN. The City of Clear Lake will allow the sale of alcoholic beverages in the area known as the Beverage Garden of which said Beverage Garden will be operated by the Clear Lake RAGBRAI Beverage Committee. The hours of operation for the Beverage Garden will be from 10:00 a.m. on July 25, 2017 to 12:15 a.m. on July 26, 2017.

122.26 OUTDOOR ENTERTAINMENT. The City of Clear Lake will allow outdoor entertainment to be held at three venues in the downtown area on July 25, 2017 beginning at 12:00 noon and ending at 12:00 midnight.

122.27 DOGS IN CITY PARK. No dogs, with the exception of Service Dogs, even though restrained or controlled, are not permitted in City Park from 5:00 p.m. on July 24, 2017 to 12:00 noon on July 26, 2017.

122.28 NUISANCE. The sale of food, merchandise or beverages or the location of a stand for the sale of food, merchandise or beverages in violation of this Ordinance is hereby declared a nuisance. Any member of the Clear Lake Police Department or its designees are hereby empowered to cause any offending vendor or place in violation of this Ordinance to be immediately dismantled and removed without notice.

122.29 STREET CLOSINGS. On July 24, 25, and 26, 2017 and without prior Council approval regarding the blocking of any city streets, any Clear Lake Police Officer, or any person under the direction of a police officer, 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 Clear Lake. Skateboards and Rollerblades will be prohibited on any streets that are closed during these dates.

122.30 GOLF CART OPERATIONS. Official members of the Clear Lake RAGBRAI 2017 Committee or those individuals authorized by the Committee may operate golf carts (or other similar vehicles not designed for street use) on the City streets and other public property on July 24, 25, and 26, 2017, provided they shall otherwise remain subject to all traffic laws and the direction of local law enforcement personnel, and FURTHER PROVIDED that the operator shall at all times have an official authorization tag issued by the Clear Lake RAGBRAI 2017 Committee in their possession while operating a golf cart (or other similar vehicle). Those operating a golf cart or other similar vehicle without an official permit or approval by the Committee shall be subject to a misdemeanor fine.

122.31 VIOLATIONS – PENALTIES. Selling or supplying merchandise to any person without an official Clear Lake RAGBRAI Vendor Permit on July 25, 2017 or July 26, 2017, or any violation of this chapter shall be a simple misdemeanor punishable by a maximum fine of \$500 and/or a maximum of thirty (30) days in jail.

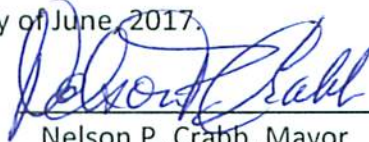
122.32 EFFECTIVE PERIOD. The Ordinance shall have no further force or effect after July 27, 2017.

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 party thereof not adjudged invalid or unconstitutional.

SECTION 5: WHEN EFFECTIVE. This ordinance shall be effect from and after its final passage, approval, and publication as provided by law.

Passed and Approved by this Council on the 5th day of June, 2017.



Nelson P. Crabb, Mayor

ATTEST:



Jennifer Larsen, City Clerk

1st reading: June 5, 2017
2nd reading: June 19, 2017
Final reading: July 5, 2017