

ATLANTIC, IOWA – ORDINANCE NO. 1043

AN ORDINANCE AMENDING THE 2013 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF ATLANTIC, IOWA ENACTED TO ASSIST CITY OFFICIALS AND THE RAGBRAI COMMITTEE DEAL WITH THE PUBLIC HEALTH AND SAFETY ISSUES CREATED BY THE INFUSION OF A LARGE NUMBER OF PEOPLE INTO THE CITY OF ATLANTIC WHEN THE DES MOINES REGISTER'S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ARRIVES IN ATLANTIC ON JULY 22, 2024, AND DEPARTS ON JULY 23, 2024.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTIC, IOWA:

Section 1. That the 2013 Recodification of the Municipal Code of the City of Atlantic, Iowa be amended by the following Ordinance designated "RAGBRAI ORDINANCE", which because of its temporary nature shall not be printed as part of the permanent Code of Ordinances. The RAGBRAI Ordinance is as follows:

"RAGBRAI ORDINANCE"

Section 1. Definitions.

- A. As used herein, "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.
- B. As used herein, "person" shall include any individual person, club, group, organization, partnership, corporation or entity of any kind.
- C. The RAGBRAI Committee for purposes herein shall be defined as the Advisory Board and the Executive Committee as designated by the City and the Atlantic Area Chamber of Commerce Board.

Section 2. Commercial Vendor Booth – Permit Required

No for-profit person, shall provide or sell food or goods to the public in Atlantic, Iowa on July 22, 2024 or July 23, 2024 at a location other than their regularly-established place of business unless said person shall first obtain a Commercial Vendor Booth Permit from the Atlantic RAGBRAI Committee through the Atlantic Area Chamber of Commerce office located at 102 Chestnut Street, Atlantic, Iowa. The City of Atlantic shall approve all permits.

Section 3. Commercial Vendor Booth Fees

The fee for an Atlantic, Iowa, Commercial Food Booth Permit shall be \$300. The fee for an outside Atlantic, Iowa, Commercial Vendor Booth Permit shall be \$600.

Section 4. Commercial Vendor Booth Location

A Vendor who has been granted an Atlantic Commercial Vendor Booth Permit shall locate its temporary sale facility at a location, and only at that location, to be determined by the official Atlantic RAGBRAI Committee.

Section 5. Non-Profit Vendor Booth – Permit Required

No non-profit person of any kind shall provide or sell food or goods to the public in Atlantic on July 22, 2024 or July 23, 2024, at a location other than their regularly-established place of business unless said person or entity shall first obtain a Non-Profit Vendor permit from the Atlantic RAGBRAI Committee through the Atlantic Area Chamber of Commerce located at 102 Chestnut Street, Atlantic, Iowa. The City of Atlantic shall approve all permits.

Section 6. Non-Profit Vendor Booth Fee

The fee for an Atlantic, Iowa Non-Profit Vendor Booth Permit shall be \$100.

Section 7. Non-Profit Vendor Location

A vendor who has been granted an Atlantic, Iowa, Non-Profit Vendor Booth Permit shall locate its temporary facility at a location, and only at that location, to be determined by the official Atlantic RAGBRAI Committee.

Section 8. Health Regulations

A person issued a commercial or non-profit food booth permit pursuant of this Ordinance shall comply with the Iowa Department of Health and Western Iowa Regional Inspections, including obtaining appropriate permits, pertaining to the sale and dispensing of food for consumption on its premises.

Section 9. Refundable Cleanup Deposit

Permitted vendors shall pay, at the time of application, a \$100 refundable deposit. If cleanup of the site is approved by the official Atlantic RAGBRAI Sanitation Committee, the deposit will be refunded.

Section 10. Declining Permit

The Atlantic RAGBRAI Committee shall make recommendations to the City of Atlantic. The City of Atlantic shall approve all permits and have sole discretion to decline to issue a permit for any reason, provided, however, that no applicant for a permit shall be denied based upon the race, creed, color, sex, age, or country of origin of the applicant.

Section 11. Application Deadline

All applications for permits must be received by June 1, 2024. Applications received after this date are not ensured of approval and are subject to a \$100 late fee.

Section 12. Electrical Service

The fee for providing electrical service to each booth shall be \$50 per booth. Additional charges may apply if more than basic electrical needs are requested.

Section 13. Outdoor Alcoholic Beverage Garden

The presence of 20,000 to 25,000 extra people in Atlantic on July 22, 2024, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, in order to ensure public safety and to facilitate police protection, the Council determines that there may be no more than one applicant permitted to operate an outdoor alcoholic beverage garden from a temporary location with a five day or fourteen day beer permit and/or five day or fourteen day liquor license. To help support the cost incurred by the Atlantic RAGBRAI Committee to host RAGBRAI as an overnight stop, the Atlantic RAGBRAI Committee, or its designee, shall have the first option to apply for the necessary permits or licenses to operate such alcoholic beverage garden at such location, but if the Committee does not secure such a permit and/or license before July 1, 2024, the Council shall have the option to consider applications from other vendors. Businesses that have an existing liquor license for an outdoor beverage garden as of the date of approval of this Ordinance shall be permitted to operate such within the space defined by their license.

Section 14. Motorized Vehicles

The use of motorized vehicles such as scooters, golf carts, ATV's/UTV's etc. are prohibited in event venue areas, as designated by the Atlantic RAGBRAI Committee, unless specifically authorized by the Committee or Atlantic Public Safety.

Section 15. Nuisance

The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a commercial or non-profit vendor permit on July 22, 2024, and July 23, 2024, is in violation of this Chapter shall be considered a nuisance as defined by Section 8-1-1(A) of this Municipal Code. If this type of nuisance is determined to exist by the Director of Public Safety, an emergency abatement procedure pursuant to 8-1-8 of the Municipal Code is hereby authorized and may be executed by any peace officer or those acting at their discretion by dismantling and removing the nuisance without notice.

Section 16. Violations – Penalties

Selling or supplying food or goods to the public without an Atlantic Commercial/Non-Profit Vendor Booth Permit

on July 22, 2024 or July 23, 2024, when such a permit is required, is in violation of this Ordinance. The City of Atlantic at its sole discretion could issue a permit, subject to receipt of booth fee, regular late fee, and an additional late fee of \$200.

Section 17. Street Closings

During the Effective dates of this ordinance and without prior Council approval regarding the blocking of any city streets, any Atlantic police officer, 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 Atlantic.

Section 18. Effective

The provision of this Ordinance shall be in effect upon passage by the Atlantic City Council and remain in effect until 5:00 PM on July 23, 2024.

Section 19. Certain Ordinances Suspended

Effective July 22, 2024 6:00 AM to July 23, 2024 5:00 PM, Ordinances 9-10-12, Chapter 9-11 as related to bicycles, and Section 9-12-3 of the City Municipal Code shall be suspended and shall not be enforced.

Section 20. Authority


Any and all issues and appeals regarding this ordinance will be brought to the local Atlantic RAGBRAI Committee and the City of Atlantic for resolution.

Section II. All previous ordinances or parts of such ordinances in conflict with provisions of this Ordinance are hereby repealed.

Section III. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

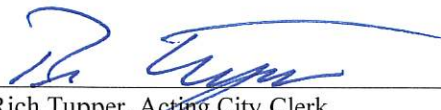
Section IV. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AN APPROVED this 15th day of May, 2024



Grace N. Garrett, Mayor

ATTEST:



Rich Tupper, Acting City Clerk