

City of Indianola  
**ORDINANCE NO \_\_\_\_\_**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, BY  
ADDING CHAPTER 132 -RAGBRAI 2024**

WHEREAS, the Des Moines Register’s Annual Great Bicycle Ride Across Iowa (RAGBRAI) will ride through Indianola on July 24, 2024; and

WHEREAS, the RAGBRAI event will draw between 35,000 and 40,000 people to Indianola on that date; and

WHEREAS, the arrival of up to 40,000 people will bring public and health safety challenges.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA:

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 has designated by the Indianola Chamber of Commerce and the City.

Section 2: Vendor Booth – Permit Required. No person shall provide or sell food/beverages or goods to the public in Indianola on July 24, 2024, at a location other than their regularly established place of business unless that person has first obtained a Vendor Booth Permit from the official Indianola RAGBRAI committee. The Indianola RAGBRAI committee shall approve all permits. Any person or entity which is a resident of Indianola and in possession of a valid permit issued by the State of Iowa for the sale of food to be consumed on its premises as June 1, 2024, or in possession of a current Iowa retail sales tax permit, shall be exempt from the requirements of this section.

Section 3: Vendor Booth Fees. The fee for a Food Vendor’s Permit shall be \$400.00. The fee is required for every designated vendor location occupied. A \$100 discount shall be offered for businesses with a Warren County sales tax permit. A \$200 discount shall be offered for non-profit businesses. Booth spaces are 12’x12’. Larger space requests will be considered on a case-by-case basis and the fee adjusted accordingly.

Section 4: Vendor Booth Location. A vendor who has been issued an Indianola Commercial Vendor Booth Permit shall locate its temporary sale facility at a location, and only at that location, as determined by the official Indianola RAGBRAI committee.

Section 8: Health and Safety Regulations. A person issued a commercial or non-profit food booth vendor permit pursuant to this Ordinance shall comply with the rules and regulations of the Iowa Department of Health and the Warren County, Iowa Department of Health, including obtaining appropriate permits, pertaining to the sale and dispensing of food for consumption on its premises.

To promote safety during RAGBRAI, all beverages sold in Indianola, Iowa by Commercial Vendor Permittees on July 24, 2024, 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.

Section 9: Declining Permit. The City of Indianola conveys its authority to approve all permits to the official Indianola RAGBRAI committee. Should a permit application be denied, the applicant may appeal the decision to the Indianola City Council through the City Clerk no later than June 15, 2024. The Indianola RAGBRAI committee shall make recommendations to the City of Indianola. No permit application will be denied based upon the race, creed, color, sex, age or country of origin of the applicant.

Section 10: Application Deadline. All applications for permits must be received by the Indianola RAGBRAI committee by June 15, 2024. Applications received after this date are not ensured of approval and are subject to a \$250 late fee.

Section 12: 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 24, 2024, is in violation of this ordinance and shall be considered a nuisance as defined by Chapter 50 of the Indianola Municipal Code. If this type of nuisance is determined to exist by a member of the Indianola RAGBRAI committee, an authorized enforcement officer of the City of Indianola, or an appropriate designee, the non-permitted vendor will be informed of the nuisance by any means necessary and shall be required to comply with the provisions of this ordinance. If compliance is refused and the nuisance remains, an emergency abatement procedure pursuant to Section 50.06 of the Indianola Municipal Code is hereby authorized and may be executed by a peace officer, or those acting at their discretion, by dismantling and removing the nuisance without notice.

Section 13: Violations – Penalties. Selling or supplying food or goods to the public without an Indianola Commercial/Non-profit Vendor Booth Permit on July 24, 2024, when such a permit is required, is in violation of this ordinance. If any person is deemed to be in violation of this provision, the City of Indianola, at its sole discretion, may issue a permit, subject to receipt of booth fee, regular late fee, and an additional late fee of \$250.00.

Section 14: Street Closings. During the effective dates of this ordinance, and without prior Council approval regarding the blocking of any city streets, any Indianola police officer, Public Works employee, or those at their direction, may place barricades or roadblocks in any city street, alley, or roadway to redirect vehicle traffic in order to enhance the proper and safe flow of bicycle and vehicle traffic within the City limits of the City of Indianola. In addition to the bicycle route, the Square and one block in each direction, may be blocked off for vendor booths.

Section 15: Noise Permit. The Indianola RAGBRAI committee is granted a noise permit for July 24, 2024, from 9:00 AM to 3:00 PM on and near the Indianola Square.

Section 16: Effective. The provisions of this ordinance shall be in effect upon passage by the Indianola City Council and remain in effect until 3:00 p.m. on July 24, 2024. The provisions of this ordinance shall not apply to vendors upon the property of the Warren County Fair Association.

Section 17: Certain Ordinances Suspended. Effective July 24, 2024, the operations provisions of Indianola City Code Chapter 76 (Bicycle Regulations) shall be suspended and shall not be enforced.

Section 18: Authority. Any and all issues and appeals regarding this ordinance shall be brought to the local Indianola RAGBRAI committee and the City of Indianola for resolution.

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.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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Stephanie Erickson, Mayor

ATTEST:

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Jackie Raffety, City Clerk