

RESOLUTION 25-14

RAGBRAI VENDOR REGULATIONS IN UNINCORPORATED AREAS

BE IT ENACTED by the Emmet County Board of Supervisors:

SECTION 1. DEFINITIONS. For purposes of this Resolution:

(1)"Local vendor" shall mean a vendor with a permanent address within Emmet County, Iowa, on the date the vendor's application for a permit under this Resolution is submitted.

(2)"Out-of-county vendor" shall mean a vendor with a permanent address located outside of Emmet County, Iowa, on the date the vendor's application for a permit under this Resolution is submitted.

(3)"Mobile vendor" shall mean either a local vendor or an out-of-county vendor who operates its sale facilities in whole or in part from wheeled or other moveable vehicles, including bicycles, wagons or pushcarts, and who may move its sale facilities from place to place.

(4)"Sale facility" shall mean any device from which the vendor offers food, beverages or merchandise for sale or sells or delivers food, beverages or merchandise.

1.1 FOOD AND BEVERAGE VENDOR AND NON-FOOD VENDOR PERMIT REQUIRED. No person, club, group, organization, corporation or entity of any kind shall provide food or beverages to the public by sale or otherwise during RAGBRAI events anywhere in the unincorporated areas of Emmet County unless the person or entity shall have first obtained a food and beverage vendor permit from an Emmet County RAGBRAI Committee.

PROVIDED, HOWEVER, businesses in existence at the start of RAGBRAI events in Emmet County and in possession of a current applicable state, county or city permit for sale of food or beverages may sell food or beverages upon their licensed premises without obtaining a food or beverage vendor permit. **HOWEVER,** this provision does not allow such existing business to sell food or beverages off-site of the licensed premises, or on the public street or sidewalk abutting to the licensed premises, without first obtaining a food and beverage vendor permit from the nearest local Emmet County RAGBRAI Committee.

1.2 LOCAL FOOD AND BEVERAGE VENDOR AND NON-FOOD VENDOR FEES. The fees for a local food and beverage vendor or a non-food vendor permit for a vendor booth shall be set by the nearest Emmet County RAGBRAI Committee.

1.3 OUT-OF-COUNTY FOOD AND BEVERAGE VENDOR AND NON-FOOD VENDOR FEES. The fees for an out-of-county food and beverage vendor or a non-food vendor without electrical service shall be set by the nearest Emmet County RAGBRAI Committee.

1.4 FOOD AND BEVERAGE LOCATIONS. A vendor who has been granted an Emmet County food and beverage vendor permit shall locate its facility at such location within unincorporated areas of Emmet County as authorized by an Emmet County RAGBRAI Committee in their sole discretion and not on county Right of Way.

1.5 HEALTH REGULATIONS. A person or entity issued a food and beverage vendor permit pursuant to this resolution shall comply with the Iowa Department of Health regulations pertaining to the sale and dispensing of food or beverages for consumption and any local Board of Health rules and regulations pertaining to same.

1.6 VENDOR FEE REFUNDS AND PERMIT TRANSFERS. Vendor fees shall not be refundable in whole or in part and are not transferable.

1.7 GLASS CONTAINERS. To promote safety during RAGBRAI events in Emmet County, all beverages sold during RAGBRAI events in the unincorporated areas of Emmet County, Iowa, by food and beverage vendors shall be provided in non-glass containers only. This requirement shall also apply to any existing business, restaurant, service station, grocery or other establishment selling or providing beverages on its premises for consumption offsite or in an outdoor setting open to the public.

1.8 NUISANCE. The sale or provision of food, beverages or merchandise or the erection of a temporary facility for the sale of such items without an Emmet County RAGBRAI Committee food and beverage vendor permit or non-food and beverage vendor permit during RAGBRAI events, in violation of the provisions of this resolution is a nuisance as defined by state law. If law enforcement officers determine a nuisance to exist in violation of this resolution, an emergency abatement procedure may be executed by any peace officer or those acting at the peace officer's direction by causing the vendor's permit to be confiscated and any illegal facility to be dismantled and removed. In this event, the peace officer or those acting at the peace officer's direction shall provide an immediate notice to the offender of the violation or, alternatively, to relinquish the vendor's permit. Failure or inability of the offender to immediately remedy the violation shall result in the emergency abatement procedure above.

SECTION 2. EFFECTIVE DATE. This Resolution shall be in effect during RAGBRAI events in Emmet County July 21, 2025 through July 22, 2025.

SECTION 3. REPEALER. All resolutions or parts thereof in conflict with the provision of this resolution are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of

the resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

BE IT DULY ADOPTED this 29th day of April, 2025, at the regular meeting of the Emmet County Board of Supervisors with the vote thereon being as follows:

Hansen- aye or nay

Schumacher-aye or nay

Glasnapp- aye or nay

Pluth- aye or nay

Quastad- aye or nay

A handwritten signature in cursive script, appearing to read "Lisa Hansen", written over a horizontal line.

Lisa Hansen, Board Chairperson

ATTEST:

A handwritten signature in cursive script, appearing to read "Heidi Goebel", written over a horizontal line.

Heidi Goebel, Auditor & Clerk to the Board

