

ORDINANCE NO. 13,732

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 13,011, passed March 28, 1994 by repealing Sections 5-15, 5-20, and 5-20.02 thereof and enacting new Sections 5-15, 5-20, and 5-20.02, relating to license and permit fees for special events.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 13,011, passed March 28, 1994 is hereby amended by repealing Sections 5-15, 5-20, and 5-20.02 thereof and enacting new Sections 5-15, 5-20, and 5-20.02, relating to license and permit fees for special events, as follows:

5-15. LICENSE AND PERMIT FEES.

The following fees shall be submitted with the respective application:

(1) For a class "B" beer permit the annual fee shall be \$ 300.00

(2) For a class "C" beer permit the annual fee shall be graduated on the basis of the amount of interior floor space which comprises the retail

sales area of the premises covered by the permit, as follows:

(i) Up to 1,500 square feet \$ 75.00

(ii) Over 1,500 square feet and up to 2,000 square feet \$ 100.00

(iii) Over 2,000 square feet and up to 5,000 square feet \$ 200.00

(iv) Over 5,000 square feet \$ 300.00

(3) For a class "D" beer permit the annual fee shall be \$ 500.00

(4) For a class "E" beer permit the annual fee shall be graduated on the basis of the amount of interior floor space which comprises the retail

sales area of the premises covered by the permit, as follows:

(i) Up to 1,500 square feet \$ 575.00

(ii)Over 1,500 square feet and up to 2,000 square feet\$ 600.00

(iii)Over 2,000 square feet and up to 5,000 square feet\$ 700.00

(iv)Over 5,000 square feet\$ 800.00

(5)For a class "A" liquor control license the annual fee shall be:

(i)Club, 250 members or more\$ 600.00 plus state surcharge

(ii)Club, less than 250 members\$ 400.00 plus state surcharge

(iii)Club which is a post, branch, or chapter of a veterans organization chartered by the Congress of the United States, if such club does not sell or permit the consumption of alcoholic beverages on the premises more than one day in any week, and if the application for a license states that such club does not and will not sell or permit the consumption of alcoholic beverages on the premises more than one day in any week\$ 200.00 plus state surcharge

(6)For a class "B" liquor control license the annual fee shall be\$1,300.00plus state surcharge

(7)For a class "C" liquor control license the annual fee shall be\$1,300.00 plus state surcharge

(8)For a class "E" liquor control license the annual fee shall be graduated on the basis of the amount of interior floor space which comprises the retail sales area of the premises covered by the permit, as follows:

(i)Up to 1,500 square feet\$2,500.00

(ii)Over 1,500 square feet and up to 2,000 square feet\$3,500.00

(iii)Over 2,000 square feet and up to 5,000 square feet\$5,000.00

(iv)Over 5,000 square feet\$7,500.00

(9)For a class "F" liquor control license the annual fee shall be\$1,800.00plus state surcharge

(10)For a class "G" liquor control license the annual fee shall be\$ 950.00 plus state surcharge

(11)For a class "H" liquor control license the annual fee shall be\$1,800.00 plus state surcharge

(12)For a special class "C" liquor control license the annual fee shall be\$ 450.00 plus state surcharge

(13)For a class "B" wine permit the annual fee shall be \$ 500.00

(14)For the privilege of selling and dispensing alcoholic liquor, wine, or beer to patrons on Sunday the annual fee shall be increased by 20 percent of the regular prescribed fee plus the designated state surcharge.

(15)For all outdoor service areas added to the licensed or permitted premises after a license or permit has been issued, and for all temporary outdoor services areas the fee shall be\$ 300.00

5-20. TRANSFERS.

The council, may, in its discretion, authorize a licensee or permittee to transfer the license or permit from one location to another within the city, provided that the premises to which the transfer is to be made would have been eligible for a license or permit in the first instance and such transfer will not result in the violation of any law or ordinance. An inspection fee of \$150.00 shall accompany the application for transfer, which shall not be refunded whether the transfer is granted or not. The applicant shall procure from the persons who are surety on his or her bond written consent to make such transfer, which shall be filed with the application.

5-20.02. OUTDOOR SERVICE--DURATION.

(a) A permanent outdoor service license or permit shall expire on the date of expiration of the alcoholic liquor license or beer or wine permit for which the outdoor service license or permit applies.

(b) A temporary outdoor service license or permit may be issued once per calendar year for a period not to exceed five consecutive days.

(1) Snow fence, field fence or plastic fence supported by columns or posts spaced no more than 8 feet on center may be an acceptable retainer for temporary outdoor service subject to the approval of the building official.

(c) A special event outdoor service license or permit may be issued when the outdoor service is in conjunction with and sanctioned by the sponsors of a community event, fair, or festival including but not limited to, the Court Avenue River Party or the Two Rivers Festival, and shall authorize outdoor service for a period not to exceed five consecutive days.

(1) Retainer material listed in subparagraph (b)(1) above shall apply.

(2) If the proposed special event requires use of a street, a street use permit will be required and the street use team will determine whether the event qualifies as a "special event".

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

Christopher J.
Coleman, Mayor Pro
Tem

Attest:

I, Diane Rauh, Chief Deputy City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 99-2402), passed by the City Council of said City at a meeting held August 2, 1999, signed by the Mayor Pro Tem August 2, 1999, and published as provided by law in the Business Record on August 16, 1999. Authorized by Publication Order No. 6212.

Diane Rauh, Chief
Deputy City Clerk