

★ **Roll Call Number**

Agenda Item Number

60

Date March 9, 2015

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing subsection (1) of Section 78-10, the definition of "transient merchant" in Section 78-61, and all of Sections 102-458 and 102-459 thereof, and enacting a new subsection (1) of Section 78-10, a new definition of "transient merchant" in Section 78-61, and new Sections 102-459, and by adding and enacting a new subsection (10) to Section 78-10, and a new Article V to Chapter 78, to establish the Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors in the downtown area",

presented.

(Council Communication No. 15- 123)

MOVED by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

Roger K Brown

(First of three required readings)

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing subsection (1) of Section 78-10, the definition of "transient merchant" in Section 78-61, and all of Sections 102-458 and 102-459 thereof, and enacting a new subsection (1) of Section 78-10, a new definition of "transient merchant" in Section 78-61, and new Sections 102-459, and by adding and enacting a new subsection (10) to Section 78-10, and a new Article V to Chapter 78, to establish the Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors in the downtown area.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as amended by Ordinance No. 14,801 passed November 10, 2008, be and is hereby amended by repealing subsection (1) of Section 78-10, the definition of "transient merchant" in Section 78-61, and all of Sections 102-458 and 102-459 thereof, and enacting a new subsection (1) of Section 78-10, a new definition of "transient merchant" in Section 78-61, and new Section 102-459, and by adding and enacting a new subsection (10) to Section 78-10, and a new Article V to Chapter 78, to establish the Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors in the downtown area, as follows:

Chapter 78 PEDDLERS AND SOLICITORS*
ARTICLE I. IN GENERAL

Sec. 78-10. Limitation on retail premises.

No person shall engage in the business of displaying for sale, or selling, food, beverages or merchandise within the city from any vehicle, trailer, tent, or temporary structure or from any temporary location or place, except:

- (1) *Permitted premises.* Activities conducted in compliance with a certificate of occupancy issued pursuant to section 134-151, ~~or~~ entirely within a building in compliance with chapter 134, or in conformance with a site plan approved pursuant to Article V of chapter 82.
- ...
- (10) *Mobile vendors.* Sales activities by a mobile vender which are conducted in compliance with a mobile vender license issued pursuant to article V of this chapter.

ARTICLE III. - TRANSIENT MERCHANTS

Sec. 78-61. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

....
Transient merchant means a person, principal or agent who engages in a merchandising business from a temporary location or structure in the city, and who, for the purpose of carrying on such business, hires, leases or occupies any land, structure, trailer or truck for the exhibition and sale of such goods, wares or merchandise and including the sale of any article, food, beverage, fruit, vegetable or farm product; provided however that the following types of sales activities shall not constitute sales by a transient merchant:

- (1) *Yard sales.* The casual and occasional sales of used household goods by the owner thereof to the public, on a nonreceiving basis, if the seller, at the time of the sale, is not engaged for profit in the business of selling goods of that or a similar nature, so long as such sales are not conducted in excess of four consecutive days and no more than two times annually.
- (2) *Licensed use of right-of-way.* Sales activities conducted in compliance with an entertainment district license, a sidewalk sales permit, a farmers' or public market permit, or a sidewalk cafe license or lease issued for the premises pursuant to article VII of chapter 102 of this code.
- (3) *Street Use Permit.* Sales activities conducted in compliance with a street use permit issued pursuant to article XVI of chapter 102 of this code.
- (4) *Special Permits.* Sales activities conducted pursuant to a special permit issued by the zoning board of adjustment pursuant to division 3 of article IV of chapter 134 of this code.
- (5) *Peddlers.* Sales activities conducted in compliance with a peddlers license issued pursuant to article II of this chapter.
- (6) *Parks.* The sale of food and beverages in public parks and rivers with permission of the park and recreation board.
- (7) *Emergency response sites.* Sales of food and beverages at the site of an emergency or disaster with the permission of the police chief, fire chief or public works director.
- (8) *Mobile vendors.* Sales activities by a mobile vender which are conducted in compliance with a mobile vender license issued pursuant to article V of this chapter.

ARTICLE V. MOBILE FOOD VENDERS

Sec. 78-200. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Certified food protection manager" is a person who holds an active certified food protection manager certificate from a program approved by the national Conference for Food Protection.

"Food service establishment" shall have that meaning established by section 481-30.2 of the Iowa Administrative Code.

"Mobile vender" means a person engaged in the business of selling food or beverages from a mobile vender vehicle.

"Meter hood" means a bag owned by the city and issued to a mobile vender for temporary use during the term of the mobile vender's license. Subject to the requirements of this article, the meter hood may be placed over a parking meter to reserve and hold a parking space within the mobile vender zones for use by the mobile vender to whom the meter hood was issued.

"Mobile vender vehicle" means a motorized vehicle or a combination of a motorized vehicle and trailer used for the sale of food or beverages for immediate consumption.

"Restaurant" means a food service establishment which derives at least 50% of its gross receipts from the sale of food for immediate consumption on the premises.

"Zone" means the mobile vender zones as defined in section 78-201 of this article.

Sec. 78-201. Mobile Vender Zones.

a) Subject to the requirements of this article, a mobile vender license is only valid for the sale of food or beverages for immediate consumption from a mobile vender vehicle lawfully parked at a parking meter within a mobile vender zone.

b) The mobile vender zones consist of and are limited to the following street segments:

Zone A:

Grand Avenue from 13th Street to 15th Street,
Locust Street from 13th Street to 15th Street,
Walnut Street from 13th Street to 15th Street,
13th Street from Grand Avenue to Walnut Street, and
15th Street from Grand Avenue to Walnut Street.

Zone B:

Center Street from 5th Avenue to 9th Street,
Crocker Street from 5th Avenue to 9th Street,
Park Street from 3rd Street to 7th Street, and
Watson Powell Jr Way from 3rd Street to 7th Street.

Zone C:

Cherry Street from 5th Avenue to 9th Street,
Mulberry Street from 5th Avenue to 7th Street, and
5th Avenue from Vacated Vine Street to Mulberry Street.

Zone D:

East Court Avenue from East 2nd Street to East 6th Street,
East Grand Avenue from Robert D Ray Drive to East 4th Street,
Locust Street and East Locust Street from the west end of the Locust Street bridge over the Des Moines River to East 4th Street,
East Walnut Street from East 1st Street to East 7th Street,
Robert D Ray Drive from East Grand Avenue to East Locust Street,
East 2nd Street from East Walnut Street to E Court Avenue,
East 3rd Street from East Walnut Street to E Court Ave,
East 4th Street from East Walnut Street to East Court Avenue, and
East 7th Street from East Walnut Street to a point 240 feet south of East Court Avenue.

Sec. 78-202. Pilot Project – Transitional Provisions.

- a) This article is being adopted as a pilot project for a limited duration, after which the city council will determine whether to repeal this article, or to repeal the transitional provisions under this section and make any other changes to this article as may be appropriate in light of the lessons learned during the pilot project.
- b) Notwithstanding anything in this article to the contrary, the following provisions shall be controlling during the pilot project:
 - 1) All mobile vender licenses shall expire on October 31, 2015. No mobile vender license shall be issued for any term extending or commencing after October 31, 2015.
 - 2) The regulations set forth in this article are subject to change at any time.
 - 3) If the city council determines by resolution at any time that the number of licensed mobile vendors exceed that number that can be reasonably accommodated by the mobile vender zones it may direct the city clerk to immediately cease issuance of new mobile vender licenses. In that event the city clerk shall maintain a list of applicants who have filed a mobile vender license application prior to October 31, 2015, which could not be granted because of such restriction, and the date and time at which each such application was received.

Sec. 78-203. License required.

- a) Every mobile vender shall, before offering for sale any food or beverages in the city, obtain a license for their sale from the city clerk as provided in this article.
- b) A mobile vender license authorizes the operation of a mobile vender vehicle upon the public streets within the mobile vender zones, subject to the regulations set forth in this article.
- c) A separate mobile vender license shall be required for each mobile vending vehicle.

Sec. 78-204. Application for license.

- a) Every mobile vender shall apply to the city clerk for a mobile vender license at least three business days prior to use by providing the following information upon a form to be provided by the city clerk:
 - 1) The full name, age, permanent address and phone number of the applicant.
 - 2) The business name and address.
 - 3) A description of the motorized vehicle or trailer from which the sale will be conducted, including the license plate number, and the length of the motorized vehicle or the trailer and tow vehicle.
 - 4) A summary of the cuisine of food to be sold.
 - 5) The period of time the applicant has been engaged in the same or similar business, and the jurisdictions in which the applicant has previously conducted business in the last year.
 - 6) The application must be accompanied by a copy of a retail sales tax permit issued to the applicant by the Iowa Department of Revenue.
 - 7) If the mobile vender sells food other than prepackaged food, then the application shall also contain the following:
 - (a) A copy of the appropriate food establishment license issued by the Iowa Department of Inspections and Appeals for the mobile vender vehicle.
 - (b) A copy of the appropriate food establishment license issued by the Iowa Department of Inspection and Appeals for any commissary kitchen or other premises where food is

- prepared for sale from the mobile vender vehicle, and the name and contact information for the individual or business responsible for the operation of such kitchen or premises.
- (c) The name of one or more certified food protection managers employed by the business and a copy of their current certification as a certified food protection manager.
 - (d) The addresses of the businesses or facilities at which any fat, oil or grease generated in the operation of the mobile vender business are disposed of, including the contact information for the individual or business responsible for the operation of each such business or facility. Any change in the businesses or facilities used for the disposal of such fact, oil and grease shall be reported to the city clerk in writing by the mobile vender within three business days of the first use of a the new business or facility.
- 8) The location where the mobile vender vehicle will be regularly parked when not in use.
- b) A mobile vender shall notify the city clerk in writing of any change to the information provided pursuant to paragraphs 1, 2 or 3 of subsection a, above, within five business days of such change.

Sec. 78-205. Cash bonds.

- a) Except as provided in paragraph (c) below, no mobile vender license shall be issued until the applicant has delivered to the city clerk a cash bond for no less than \$200.00. The bond shall be held to indemnify and pay the city any penalties or costs incurred in the enforcement of any of the sections of this article and indemnify or reimburse any purchaser of food, goods, wares, merchandise or stock for any judgment which may be obtained by a purchaser for damages in any action commenced within three months from the date of purchase, due to misrepresentations as to the kind, quality or value of such food, beverages, goods, wares, merchandise or stock, whether the misrepresentations were made by the owner or by his or her agents or employees, either at the time of making the sale or through any advertisement of any character, printed or circulated, with reference to such food, stock of goods, wares or merchandise or any part thereof.
- b) A single bond may be used for all licenses obtained by the same mobile vender.
- c) The balance of the bond shall be released by the city clerk and returned to the applicant upon request by the applicant at any time more than four months after expiration of all mobile vender licenses for which the cash bond was provided, unless the city clerk has received notice of a pending action in the state or federal courts seeking a judgment upon a claim eligible for payment from the bond. Except as otherwise provided by court order, the city clerk shall not release any bond during the pendency of any such action.

Sec. 78-206. Meter hoods.

- a) Every mobile vender, is required to obtain a meter hood to be issued by the city clerk for each licensed mobile vender vehicle no longer than _____ feet. Every mobile vender, is required to obtain two meter hoods to be issued by the city clerk for each licensed mobile vender vehicle longer than _____ feet.
- b) The annual fee for the use of the first and second meter hood issued with each mobile vender license shall be in the amount set in the schedule of fees adopted by the city council by resolution.
- c) In the event any meter hood is lost, stolen or confiscated, the mobile vender may obtain a replacement meter hood upon payment of the replacement hood fee in the amount set in the schedule of fees adopted by the city council by resolution.
- d) To secure the return of each meter hood at the expiration or termination of the mobile vender license, a deposit in the amount set in the schedule of fees adopted by the city council by

resolution shall be collected by the city clerk for each meter hood so issued, including replacement hoods. Upon request to the city clerk and return of the meter hood in good condition, excepting ordinary wear, the city clerk shall cause the deposit to be refunded to the mobile vender by mailing payment to the address of record for such vender.

Sec. 78-207. License issuance.

- a) A mobile vender license shall be denied to any applicant who has operated a mobile vender business in material violation of any of the requirements of this article or any other chapter of this Code within the prior 180 days.
- b) The city clerk or the city clerk's designee shall, upon satisfaction that the information provided in an application for a mobile vender license is true and correct and that the requirements of this article for issuance of the license have been satisfied, and upon payment of the license fee and meter hood fee in the amounts set in the schedule of fees adopted by city council by resolution, and receipt of the cash bond required by section 78-205 and the meter hood deposit required by section 78-206, issue the license and one or two meter hoods as provided in section 78-206.
- c) The city clerk shall deny any application for the operation of a mobile vender business that does not conform with all applicable requirements of this article, the City Code, the Iowa Code and the Iowa Administrative Code.
- d) In the event an application for a mobile vender license is denied, the city clerk or the city clerk's designee shall cause notice of such denial to be promptly communicated to the applicant or the applicant's representative by phone at the phone number provided in the application. Written notice shall also be sent to the applicant at the business address identified in the application informing the applicant of the denial, the reasons therefore, and the applicant's right to appeal the denial to an administrative hearing officer by filing a written notice of appeal with the city clerk within ten business days after the date of such notice.
- e) A mobile vender license shall be effective for one calendar year, or the portion thereof remaining after issuance of the license.

Sec. 78-208. Appeal of denial.

The denial of an application for a mobile vender license may be appealed pursuant to the administrative appeal process set forth in chapter 3 of this Code.

Sec. 78-209. Transferability of license.

- a) Mobile vender licenses issued under this article are not transferable between individuals or businesses.
- b) A mobile vender may apply to transfer their mobile vender license to another mobile vender vehicle as follows:
 - 1) The mobile vender shall file an amended application meeting the requirements of section 78-204 for the new mobile vender vehicle and shall return the mobile vender license previously issued for the original mobile vender vehicle.
 - 2) The mobile vender shall pay the transfer fee in the amount set forth in the Schedule of Fees adopted by the City Council by resolution.
- c) The city clerk or the city clerk's designee shall, upon satisfaction that the information provided in the amended application for a mobile vender license is true and correct, and that the requirements of this article for issuance of the amended license have been satisfied, and upon payment of the

transfer fee in the amount set in the schedule of fees adopted by city council by resolution, issue the license.

Sec. 78-210. Suspension or revocation of license.

- a) Upon complaint or reasonable suspicion that a licensee or the licensee's employees or agents has furnished any false information required under this article or has violated or failed to comply with any of the requirements of this article or any other chapter of this Code, the city clerk or the city clerk's designee may cause the matter to be investigated. If the city clerk or the city clerk's designee finds that the licensee or the licensee's employees or agents has furnished any false information required under this article or has violated or failed to comply with any of the requirements of this article or any other chapter of this Code, the city clerk or the city clerk's designee may give notice to the licensee of the city's intent to suspend or revoke the license, or to deny its renewal.
- b) Notice of the city's intent to suspend, revoke, or deny the renewal of a license and a brief summary of the factual basis for such remedial action shall be served upon the licensee. Such notice shall inform the licensee of the time, date and place of a meeting where the licensee may meet with the city clerk or the city clerk's designee for the purpose of presenting additional information regarding the intended remedial action and the factual basis therefore, and that a final decision on appropriate remedial action will made after the schedule time for such meeting. Such notice shall be served upon the licensee by personal service or by service upon a cashier for the business at a licensed premises, or by regular mail addressed to the licensee at the licensee's business address as shown on the application a minimum of five business days prior to the date set for the meeting.
- c) If, after the scheduled meeting and after consideration of all the available information including any information provided at the meeting by the licensee, the city clerk or the city clerk's designee makes a finding based on substantial evidence that a violation of this article or another chapter of this Code did in fact take place as alleged, the city clerk or the city clerk's designee may suspend or revoke the license or deny its renewal; the determination of whether to so suspend or revoke the license or deny its renewal shall be in the discretion of the city clerk or the city clerk's designee and shall be dependent upon the circumstances surrounding the violation and its severity. The decision to suspend, revoke or deny renewal of a license shall be in writing and shall identify the basis for such action. The decision shall be promptly served in the same manner as required for the service of the notice required under subsection (b), and shall not be effective until ten days after so served. The decision shall also give notice that it may be appealed to an administrative hearing officer by filing a notice of appeal with the city clerk within ten business days of the date of the decision.
- d) The decision of the city clerk or the city clerk's designee to suspend, revoke or deny renewal of a license pursuant to this section may be appealed pursuant to the administrative appeal process set forth in chapter 3 of this Code.
- e) A licensee whose license has been revoked or denied for renewal shall not be eligible for another such license for a period of 180 days after such revocation or denial of renewal.

Sec. 78-211. – General Regulations.

- a) Hours of operation. Between 1:30 a.m. and 5:30 a.m., no mobile vender vehicle shall be open for business, and no mobile vender shall be parked within a mobile vender zone.
- b) Allowed locations.

- 1) No mobile vender shall conduct any sale from a mobile vender vehicle which is not lawfully parked in a metered parallel parking space in a mobile vender zone.
- 2) No mobile vender shall conduct any sale from a parking space which is designated as a handicap parking space with a blue meter or as a 30 minute parking spaces designated with a green meter.
- 3) No mobile vender shall conduct any sale from a mobile vender vehicle located within 100 feet of any public entrance into the waiting or service area of any street level restaurant then open for business.
- 4) During the time that any part of a street is closed for an event for which a street use permit has been issued, and except as allowed within the event area by the party holding the street use permit, no mobile vender shall conduct any sale within the affected blocks or within two blocks of the affected blocks. For purposes of this section:
 - i) A "block" is the entire right-of-way of a public street extending from the centerline of an intersecting street or the lateral centerline of any river bridge, to the centerline of the next intersecting street or the lateral centerline of any river bridge, whichever is closer; and,
 - ii) The "affected blocks" are any blocks containing any portion of the street closure for which the street use event has been issued.
- c) Mobile vender vehicle.
 - 1. Any motorized vehicle or trailer and tow vehicle used as a mobile vender vehicle shall be no larger than twenty five feet long, ten and one-half feet tall and eight and one-half feet wide.
 - 2. Except for the storage and preparation of food and beverages at a separate kitchen or commissary kitchen, all storage and preparation of food and beverages offered for sale by a mobile vender shall occur within a fully enclosed space within the mobile vender vehicle.
 - 3. A trailer used as a mobile vender vehicle must remain attached to the tow vehicle at all times while parked in a mobile vender zone.
- d) Display of license. The license required by this article and a valid sales tax permit for such business shall be displayed within the mobile vender vehicle a manner such that it is readily visible to all persons seeking to conduct business with the mobile vender.
- e) Sale of merchandise. No mobile vender shall offer any merchandise or wares for sale other than food and beverages for immediate consumption.
- f) Meter hoods. No mobile vender shall offer an merchandise or wares for sale other than food and beverages for immediate consumption.
 - 1) No mobile vender shall cause or permit any meter hood issued to them to be placed over any parking meter outside the mobile vender zones at any time. No mobile vender shall cause or permit any meter hood issued to them to be placed over any parking meter inside the mobile vender zones at any time between 1:30 a.m. and 5:30 a.m. Any meter hood found being used in violation of this paragraph may be immediately confiscated by any police officer or community development inspector, who shall cause it to be returned to the city clerk.
 - 2) No person shall place a meter hood over the parking meter for a parking space that is then occupied by any vehicle other than the mobile vender vehicle operated by the mobile vender to whom the meter hood was issued.
 - 3) When a parking meter is covered by a mobile vender bag, no person shall park any vehicle in the corresponding parking space except the mobile vender vehicle operated by the mobile vender to whom the meter hood was issued. Violation of this paragraph shall also constitute illegal parking in violation of a traffic control device.

- 4) No mobile vender having a mobile vender vehicle which is _____ feet or shorter in length shall conduct any sale from the mobile vender vehicle unless such vehicle is lawfully parked in a single metered parallel parking space with the corresponding parking meters covered by the meter hood issued for that vehicle.
- 5) No mobile vender having a mobile vender vehicle which is more than _____ feet in length shall conduct any sale from the mobile vender vehicle unless such vehicle is lawfully parked in two adjoining metered parallel parking spaces with the corresponding parking meters covered by the meter hood issued for that vehicle.
- g) Food Safety. Any mobile vender who offers food for sale, other the prepackaged food items, shall be subject to the following additional requirements:
- 1) A valid food establishment license for the mobile vender vehicle shall be displayed within the mobile vender vehicle in a location that is readily visible to all customers.
 - 2) Any such mobile vender who is not a certified food protection manager shall employ at least one certified food protection manager; shall maintain a copy of their certification(s) as a certified food protection manager in the mobile vending vehicle; and shall produce the certification documents for inspection upon request by any police officer or community development department inspector.
 - 2) No mobile vender shall operate the business in a manner that violates any applicable food and sanitation laws.
- h) Noise. No mobile vender shall operate the business in a manner that violates the Noise Control Ordinance of the City of Des Moines set forth in article IV of Chapter 42 of this Code. No person shall offer for sale or sell anything from a mobile vending vehicle by shouting or raised voice.
- i) Use of street and sidewalk. No mobile vender shall place any tables, chairs, furniture, equipment, signage or other material on the ground, streets or sidewalks. No mobile vender shall place any food, materials or equipment on the ground or on tables, chairs, or shelves that are not incorporated into the mobile vending vehicle.
- j) Trash receptacles. A mobile vender shall provide one or more trash receptacles readily accessible to its customers either in or attached to the mobile vender vehicle. All such trash receptacles and all accumulations of trash and litter shall be removed from the site by the mobile vender before departing.
- k) All sales from sidewalk side. No mobile food vender shall conduct any sales from outside the mobile vender vehicle. All sales activities and the transfer of food and beverages to the customer shall occur only on the sidewalk side of the mobile vender vehicle. No mobile vender shall sell to any person situated in a motor vehicle. However, nothing in this paragraph shall be interpreted to prohibit such reasonable accommodation as may be needed to serve a customer with a disability
- l) Grease disposal.
- a) All fat, oil and grease generated in the operation of a mobile vender business shall be disposed of at the business or facility identified in the mobile vender's application for a license. Any change in the businesses or facilities used for the disposal of such fact, oil and grease shall be reported to the city clerk in writing by the mobile vender within three business days of the first use of a the new business or facility.
 - b) All fat, oil and grease generated in the operation of a mobile vender business shall be disposed of in compliance with the requirements of division 5, article III of chapter 118 regarding the discharge of fat, oil and grease by food service establishments.

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Sec. 78-213. Municipal infractions and penalties.

- a) Any person who violates this article shall be guilty of a municipal infraction punishable pursuant to Municipal Code section 1-15. Any person who violates a section of this article after having previously been found guilty of violating the same section of this article shall be guilty of a repeat offense.
- b) Relief under this section shall be in addition to the remedies set forth in section 78-210

Secs 78-214 – 78-299. Reserved

Chapter 102 - STREETS, SIDEWALKS, SKYWALKS AND OTHER PUBLIC PLACES
ARTICLE VII. - USE OF STREETS AND SIDEWALKS FOR BUSINESS PURPOSES
DIVISION 1. - GENERALLY

Sec. 102-458. — Refreshment stands.


~~No person shall erect or maintain, for purpose of sale, any lemonade, popcorn or other refreshment stand within the limits of any street or alley except as otherwise provided in this article.~~

Sec. 102-459. - Lunchwagons, fruit stands, shoe shining parlors.

~~No person shall keep, maintain, stand or operate any lunchwagon or stand for the sale of fruit or edibles or any other substances, commodities or articles of merchandise or any shoe shining parlors on any street, sidewalk or alley within that section of the city, bounded on the east by the east line of East Ninth Street, on the west by the west line of West Twelfth Street, on the south by the south line of Cherry Street and the south line of Court Avenue and on the north by the north line of Des Moines Street and the north line of West Grand Avenue, except as otherwise provided in this article.~~

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

FORM APPROVED:



Roger K. Brown
Assistant City Attorney

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