

**RESOLUTION NO. 12-05-079**

**RESOLUTION ESTABLISHING AN OUTDOOR SERVICE POLICY FOR THE CITY OF FORT DODGE, IOWA**

WHEREAS the Iowa Administrative in Code Section 185-4.13(123) provides for outdoor service for a liquor licensee or permittee; and

WHEREAS that above-described section provides for approval of the outdoor area by the local authority; and

WHEREAS the City of Fort Dodge, Iowa, has determined that certain rules, regulations and standards must be met prior to receiving approval for an outdoor service license; and

WHEREAS it is the City=s desire that these rules, regulations and standards be contained in a written policy.

NOW THEREFORE, BE IT RESOLVED that the City of Fort Dodge, Iowa, shall adopt the following rules, regulations and standards be to applied on all applications for outdoor service policies under the Iowa Administrative Code 185-4.13(123):

1. That every application shall be accompanied by a diagram showing the discernible outdoor area. Said diagram shall accurate depict the location and distance of any residential property from the requested outdoor service area.
2. The application shall also contain the current zoning classification of the proposed outdoor service area.
3. The diagram shall also contain the location and description of any outdoor recreational activities planned within the outdoor service area. Outdoor recreational activities shall include, but not be limited to: outdoor music (through speakers or live), volleyball, horseshoes, basketball, karaoke, and any other activity which is competitive in nature or likely to result in excessive noise.
4. That whenever a proposed outdoor service area is located within an area which is zoned residential, and the proposed service area is within one hundred (100) feet of any residential property, any outdoor recreation activities as defined above are strictly prohibited. Any outdoor service application approved by the City which is located within one hundred (100) feet of a residential property and in an area which is zoned residential shall be subject to restrictions which prohibit outdoor recreational activities.

5. Any violation of a restriction against outdoor activities resulting from this policy shall be grounds for revocation of the outdoor service license.
6. This policy is not intended to apply to special permit applications and shall not be considered to limit the City Council=s discretion in granting special permit applications.

Passed and approved by the City Council of the City of Fort Dodge, Iowa this 14<sup>th</sup> day of May 2012.

Ayes: Patterson, Wilson, Taylor and Hill

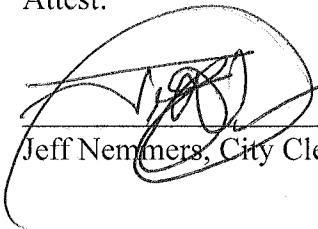
Nays: Fritz and Alstott

Other: Abstain: Flattery

City of Fort Dodge, Iowa

  
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Matt Bemrich, Mayor

Attest:

  
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Jeff Nemmers, City Clerk