

**Memorandum
City Clerk's Office**

To: Mayor and Members of the City Council
Subject: Plaza Ordinance Change
Date: July 5th, 2011



The City Clerk's office has been approached by Mark Ross, President of Tipping Point, Inc. with a request to provide a breathalyzer service in The District. The attached letter provides more details regarding the company and their services.

Currently, the city has a limit of three night time vendor permits allowed in the Plaza area and all are taken. The Plaza Ordinance would need to be modified to increase the number of vendors to four if this service was to be allowed.

This has been reviewed by the Police Department and the City Manager. It is recommended that an additional vendor permit be authorized. A designated area would be established for this vendor as is required for the other permitted vendors. They would not be authorized to enter businesses to sell to customers on private property with a vendor permit under the Plaza ordinance.

RECOMMENDATION: It is recommended that one additional night time vendor permit be created for the Plaza area and that the City Attorney prepare the ordinance.

Submitted by: Aleisha Patchin, City Clerk

Approved by: John Phillips, City Manager



June 23, 2011

Mr. John Phillips
City Manager
City of Rock Island
1528 Third Avenue
Rock Island, IL
61201

Dear Mr. Phillips:

Thank you for taking the time to discuss your permit process with me on Monday. As I mentioned, your City Clerk did a very good job explaining the difference between vending permits in the District and your transient merchant or mobile permit that allows operation between the hours of 9:00 a.m. to 9:00 p.m. on Monday – Friday.

I've attached a marketing brochure that we use but effectively we are a soon to be national breathalyzer company that uses Lifeloc FC20 Law Enforcement breathalyzers to offer low cost (\$3), accurate and convenient breath alcohol testing to the general public. Think of us as a community service providing our customers an accurate reading of their breath alcohol concentration. We have partnered with Lifeloc Technologies of Denver, CO to ensure instant credibility within the marketplace.

I'd like to request that the City of Rock Island consider expanding the number of permits allowed in the District so that we can offer our testing services. My understanding is that this request will have to be presented in front of Council. I'm available to answer any questions you should have.

Thank you for your time and attention to this important matter.

Mark A. Ross, President

A handwritten signature in dark ink, appearing to read "M.A. Ross", is written over a horizontal line.

Tipping Point, Inc.



Tipping Point
4935 Utica Ridge Rd
Suite 200
Davenport, IA 52807
563.529.0322

what's yours?

What's a Tipping Point

A Tipping Point is the balance between casual drinking and being drunk. Knowing your Tipping Point allows you to make informed decisions about your alcohol consumption and could save your life.

What We Do

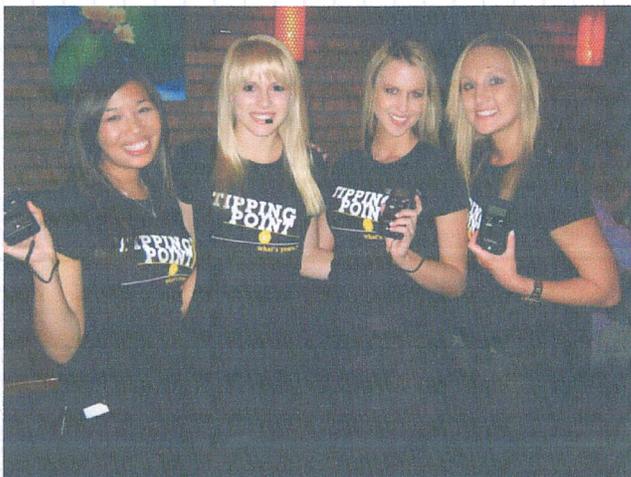
Tipping Point is a nationwide mobile breathalyzer company using Lifeloc FC20 Law Enforcement breathalyzers to offer low cost, accurate and convenient breath alcohol testing to the general public. Think of us as a community service providing you and your friends an accurate reading of your breath alcohol concentration (BAC).

Buy Now Save Later

A couple of dollars for a BAC reading could make the difference between a costly DUI or worse, hurting yourself or someone you love in an alcohol related accident. Make an informed decision, know before you go.

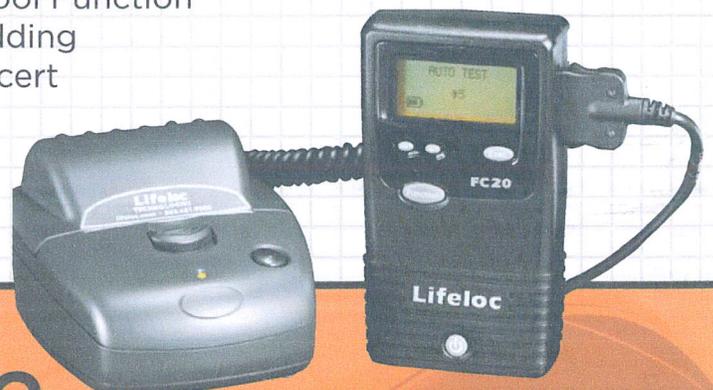
How to Find Us

Finding us is easy, follow us on Facebook and Twitter to see when we will be in a location or event near you.



Hire Tipping Point For Your Next

- Fundraiser
- Social Event
- Charitable Function
- Sporting Event
- School Function
- Wedding
- Concert



**KNOW BEFORE
YOU GO**

Sec. 8-232. Vendor Permits:

All carts and booths and other structures or equipment shall conform to the following requirements and restrictions:

- (1) Meet all applicable city, state and federal regulations.
- (2) Benefit the public or enhance the ambiance of the plaza.
- (3) Be maintained in a high quality state of repair.
- (4) Size requirements:
 - (a) No cart may exceed twenty one (21) square feet in area.
 - (b) No booth may exceed ten feet by eight feet (10' x 8") in dimensions.

The number of vendor permits shall be limited to two (2) daytime vendors and three (3) nighttime vendors. Daytime vendors may operate between the hours of nine o'clock (9:00) A.M. and two o'clock (2:00) P.M. and shall remove their equipment and supplies from the plaza by two fifteen o'clock (2:15) P.M. daily. Nighttime vendors may operate between the hours of nine o'clock (9:00) P.M. and to thirty o'clock (2:30) A.M. and shall remove their equipment and supplies from the plaza by two forty five o'clock (2:45) A.M. daily. Vendors shall operate at fixed locations approved by the City. Vendor permits shall be valid for the period beginning March 1 and ending the last day of February, annually. Vendor operations shall not interfere with pedestrian traffic. During those activities for which an activity permit has been issued, the vendor will be allowed to operate only with the approval of the person or organization holding the activity permit. However, vendors may be required to relocate upon request from the activity permit holder. The City shall approve any alternate location. Priority for the issuance of vendor permits shall be given to Rock Island businesses and/or residents. Vendor permits shall be issued to encourage a diversity of products.

The permittee is required to remain operational for a minimum of four (4) times per month during the months of May through September. Lack of operation during this period of time shall be grounds for the revocation of the permit. (Ord. 92-68, 4-3-1992; Ord. 93-71, 7-12-1993; Ord. 99-12, § 1, 2-22-1999; Ord. 17-2001, § 1,2-19-2001; Ord. 15-2004, § 1, 2-2-2004)

Sec. 8-233. Amount; Regulations:

Activity permits, per event:

Not for profit organization
Sponsored event \$35.00

For profit organization
Sponsored Event \$250.00

Café permits, annually \$200.00

Café permits where there is restricted space which limits the number
Of tables to four (4) or less \$100.00

Vendor permits, annually:

\$700.00 for the year 2004

\$900.00 for the year 2005

\$1,100.00 for the year 2006

Permits shall not be transferable, and fees shall not be refundable.