

MUSIC VENUE ORDINANCE

PACKET OF INFORMATION AND MATERIALS

Compiled by Molly Brandt.

music for
ALL
ages





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Photo by Phil Thomson

ALL-AGES ORDINANCE

DES MOINES CITY COUNCIL (SEC. 10-8)

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I. INTRODUCTION

THE DES MOINES MUSIC COALITION (DMMC) has developed an amendment to an ordinance of the Municipal Code of the City of Des Moines, Iowa. Currently, those under 21 are prohibited from entering liquor-licensed music venues after 9 p.m. unless 50% of the venue's sales are non-alcohol related (Section 10-8).

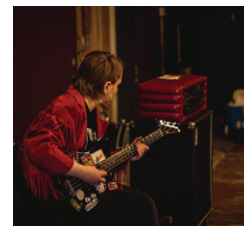
It has become apparent that the current ordinance is not realistic for local music venues and the overall Des Moines music scene to continue its growth. With support of the community, we would like to encourage the City Manager's Office, Police Department, and City Council to pass an alternative to allow Des Moines' young citizens access to music at venues of all sizes.

The current ordinance (enacted in 2015) has fallen short of its intended purpose due to an unrealistic sales demand and failure to positively affect any venues, as was promised. Additionally, the ordinance negatively affects the safety and retention of area youth, hinders development of the local music scene, and stunts Des Moines' cultural and economic growth. The restriction impacts the Des Moines' economy as evident by countless dollars lost in the absence of touring acts, local music venues deteriorating without support from the community at large, and Des Moines' failing as a cultural attraction for the Midwest.

Without a strong music scene, Des Moines struggles to retain its youth who demand cultural opportunity, safety, and sense of place.

The DMMC has outlined specific track changes to Section 10-8 (see Section III), which we feel reflect a realistic and implementable goal for music venues, young people, and the city. Along with this, the DMMC has developed the "Music for All Ages" advocacy project to rally the community and make a coordinated push to lobby for change on this issue and will continue a grassroots effort to gain support for the proposed amendment. The Coalition plans to work closely with city officials throughout the process in the hopes of amending the ordinance by early 2018.

The enclosed packet, developed by the DMMC's Music for All Ages Advocacy committee, outlines proposed changes to Des Moines City Ordinance Section 10-8 and why this is important for the growth of the city.



II. MUSIC FOR ALL AGES KEY POINTS

Photo by Paul Nye

1

THE ORDINANCE

Currently, those under age 21 are prohibited from entering liquor-licensed music venues after 9 p.m. unless venues apply for an exception certificate with the City of Des Moines. The primary hurdle for venues to obtain these exceptions is proving that 50% of the venues' gross receipts are derived from items other than alcohol sales (e.g. merchandise, soda, tickets). The ordinance is unrealistic for musicians, venues, and the youth and needs to change to reflect the needs of the citizens of Des Moines. The Des Moines Music Coalition has taken on the grassroots movement "Music For All Ages" and intends to amend the ordinance through conversations with Des Moines City Council and the support of the community.

2

THE 50% RULE. EXPLAINED.

Essentially, the portion of this code causing problems for venues is the 50% clause (Section 1e6), stating that, in order for venues to qualify for the exception certificate, it must demonstrate to the police department vice unit that at least 50 percent of its gross receipts are derived from items other than alcohol sales (e.g. merchandise, soda, tickets). This restriction is arbitrary and unrealistic for smaller music venues. While these smaller venues are restricted, larger venues with much the same atmosphere, audience, and primary purpose are able to

host all-ages shows after 9 p.m. It is unfair and unreasonable for venues to maintain. Wooly's and the Des Moines Social Club's Basement are able to have minors after 9pm due to their sales from tickets and other merchandise.

3

PRIMARY PURPOSE. EXPLAINED.

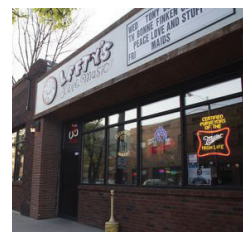
In the case of music venues, the primary focus of the business is the performance of cultural arts, music, and theatre to an audience. This differentiates the primary function, focus, and purpose from bars or taverns whose primary purpose is the sale and consumption of alcohol. For clarity, the primary purpose of a business is the core function or activity which establishes the clientele, fundamentally, the reason for which the business exists.

4

THE VENUES AFFECTED

Currently, only four venues in Des Moines suffer from this ordinance. All are small, locally-focused venues which host over 100 shows per year each, with genres ranging from jazz to heavy metal. Many venues are very close to attaining this 50% sales requirement, but are still unable to do so.

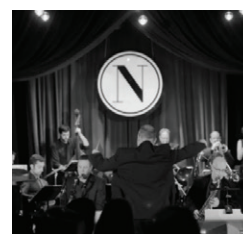
Lefty's Live Music
Vaudeville Mews
Noce
Gas Lamp



Lefty's Live Music
2307 University Ave.



The Vaudeville Mews
212 4th St.



Noce
1326 Walnut St.



The Gas Lamp
1501 Grand Ave.

II. MUSIC FOR ALL AGES KEY POINTS

Photo by Paul Nye

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ECONOMIC IMPACT

Music venues are a substantial portion of the overall music economy and can drive the direction of a music scene as well as offering intangible assets of sense of place and cultural vibrancy. In cutting off a large segment of the population to this niche culture and intimate musical experience, venues cannot survive on older populations and alcohol alone. Something needs to change to reflect the growing music economy in Des Moines.

Venues

When you cut off a portion of the population, venues will suffer. When youth are the driving force of music, there needs to be greater access so that young people will become repeat consumers of the music industry. Venues suffer from the 50% sales restriction and are forced to schedule music at awkward times.

Musicians & Creatives

For many musicians, live performances are a main source of revenue. As the music scene here in Des Moines grows, there is a need for a wide range of performance spaces that are able to cater towards young and beginning musicians as well as experienced touring artists.

Tourism

Des Moines has positioned itself as a city focused on increased tourism for residents

and visitors alike and has ranked top in nationally recognized areas, including professional development, wealth, and vibrancy of the downtown area. In order for this growth to continue, we must attract young people to the city and give them ample entertainment options.

Youth Retention

Des Moines has a critical need for more cultural activities for young people, particularly those in college and high school that are making decisions on where to live.

A vibrant music economy is an important component for retaining this age group. If young people under 21 don't have access to a variety of quality entertainment offerings, they are going to leave our city to find it elsewhere.

Music Economy

It can be hard to see the potential right now, but with a change in this ordinance, venues can grow, thus providing more opportunities for musicians, businesses, and audiences.

More venues will pop up overtime, continually adding value to the music economy. The music economy, contributes to the overall economy as well.

Overall Economy

In examining economic research done on the surrounding music economy, one can see that the music industry plays a significant role in the overall economy of a city, in and of itself. Additionally, a strong music economy can contribute to other areas of the economy (tourism, quality of life, restaurant industry, visual arts, etc.).

II. MUSIC FOR ALL AGES KEY POINTS

Photo by Paul Nye

6

CULTURAL IMPACT

This issue greatly affects the cultural landscape of the Des Moines area, especially with regard to the city's sense of place and identity. It's current strategic plans and documented goals, and with regard to inclusivity and diversity. The cultural and artistic identity of a city flourishes with the support of public policy and city leaders.

Inclusivity

This ordinance excludes a large segment of the population, primarily with the 16-20 year-old range. Young people cannot often afford the all-ages alternatives (e.g. DM Performing Arts, Hoyt Sherman, Woolly's) and are thus left out of affordable and safe options for entertainment.

Diversity

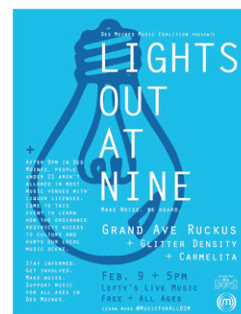
The Des Moines music scene is constantly growing more diverse. The population of Des Moines is growing more diverse, with a huge increase in minorities between ages 15-24 since 2004. The need for access to affordable, diverse, and youth-driven music is stronger now than ever before. The ordinance is causing a hurdle in allowing for this growth of vibrant diversity.

Sense of place & Identity

This often overlooked idea of "sense of place" can make a huge difference in the overall vibrancy and attractiveness of a city. The identity of Des Moines is shaped by cultural and artistic growth, especially in its ability to cater to the youth.

Existing City Plans

Currently, the city of Des Moines seeks to support the efforts of artists, musicians, creatives, and other placemaking objectives through several city planning policies, such as Capital Crossroads, Tomorrow Plan, and PlanDSM. Capital Crossroads 2.0 emphasizes the need for growth of the music industry and the need for inclusivity and diversity.



Lights Out at Nine event poster – Music For All Ages kick-off event, February 2017.

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OUR PLAN

Educate the public throughout coming months.

Work closely with the music venues, the Des Moines Police Dept. and Des Moines City Council to find a realistic, safe, and implementable solution.

Grow a grassroots lobby network of Des Moines constituents who will communicate with their city council representatives and attend City Council meetings to voice their concerns and contribute to the conversation.

Amend the ordinance by the end of 2017 or early 2018.

CAPITAL CROSSROADS
A VISION FORWARD

CENTRAL IOWA
REGIONAL
Cultural
ASSESSMENT

II. MUSIC FOR ALL AGES KEY POINTS

Photo by Paul Nye



music for
ALL
ages

BANNED TOGETHER

A GIG IN SUPPORT OF **CHANGING** THE DSM CITY CODE THAT PROHIBITS
FANS UNDER 21 FROM MUSIC VENUES PAST 9PM.

MARKAUS
GLOOM BALLOON FOXHOLES

FRI., SEPT. 29
DOORS 5PM • SHOW 6PM • \$5-\$20 SUGGESTED DONATION • ALL AGES

 **dmmc**
DEVELOPMENTAL MUSIC MARKETING CENTER

III. PROPOSED ORDINANCE TRACK CHANGES

Photo by Alyssa Leicht

Proposed changes in red.

DES MOINES CITY CODE (SECTION 10-8)

Track Changes

THE DES MOINES MUSIC COALITION HAS DRAFTED CHANGES TO THE ORDINANCE

we feel are realistic for the City of Des Moines, our small music venues, young adults, and musicians.

Overview Explanation

The code states that no persons under legal age can enter into liquor-licensed music venues after 9pm, unless the venue applies for an exception certificate, which removes the 9pm curfew. Essentially, the portion of this code causing problems for venues is the 50% clause (Section 1e6), stating that, in order for venues to qualify for the exception certificate, it must demonstrate to the police department vice unit that at least 50 percent of its gross receipts are derived from items other than alcohol sales (e.g. merchandise, soda, tickets). This restriction is arbitrary and unrealistic for smaller music venues, such as Noce, Lefty's Live Music, Vaudeville Mews, and The Gas Lamp.

Currently, a venue can qualify for an exception from the police chief by adhering to all of the following (Section 1e):

- 100 live performances per year
- A dedicated and installed stage
- Public address system
- Notification to DMPD 30 days in advance
- Photo identification and wristbands
- 50% sales derived from non-alcohol sources

The above qualifies venues such as Wooly's (higher ticket price and capacity) and the Des Moines Social Club (its music venue is within an overall non-profit), which are much the same atmosphere and audience as, say, the Vaudeville Mews.

With an amendment to the code, a venue could qualify for an exception by adhering to all of the following:

- 150 ticketed or cover-charged live performances per year
- A dedicated and installed stage of at least 8' x 6' dimension
- Public address system
- Minors under 18 leave at 9pm, minors 18-20 stay until 11:30pm
- Notification to DMPD 30 days in advance
- Photo identification and wristbands

By eliminating the problematic 50 % clause and bolstering the designation of a "music venue" as the primary purpose, the ordinance becomes realistic for venues and realistic for the safety and retention of the young people it serves.

PROPOSED CHANGES TO RULE:

- 150 ticketed or cover-charged performances
- 8' x 6' installed stage
- Elimination of 50% clause

III. PROPOSED ORDINANCE TRACK CHANGES

Photo by Alyssa Leicht

Proposed changes in red.

The Code

Sec. 10-8. - Persons under legal age in licensed or permitted establishments.

No person or club holding a liquor control license, wine or beer permit, which authorizes on the premises consumption, nor his or her agents or employees shall:

(l) Allow a person under legal age to enter or remain in the licensed or permitted establishment after 9:00 p.m. unless:

a. The licensee or permittee applies for and qualifies for an exception certificate from the chief of police as follows:

1. A licensee or permittee whose primary business purpose is not the sale of alcoholic beverages, wine or beer may qualify for an exception upon submission of a verified statement from a certified public accountant or an accountant which establishes that more than 50 percent of the licensee's or permittee's gross sales are from the sale of goods or services other than for the sale of alcoholic beverages, wine or beer which shall not include income from cover charges, entertainment fees, drink mixes or nonalcoholic beverages;

2. In addition to the statement mentioned in subsection (l) a.1 of this section, proof of qualification may include state and federal tax records for the previous year, articles of incorporation, and receipts from specific vendors which itemize goods purchased related to the applicant's primary business purpose from the previous six months as requested by the chief of police;

3. The chief of police may issue an exception certificate if the licensee or permittee has satisfied the requirements in this subsection;

4. An exception certificate shall be effective for the duration of the alcoholic liquor control license, wine or beer permit; or

b. The licensee or permittee applies for a special event exception from the chief of police, which shall allow the holder to provide entertainment to persons under legal age, as follows:

1. A licensee or permittee may qualify for a special event exception when an application is submitted to the chief of police or his or her designee at least seven business days prior to the proposed special event. Such application shall include the name and address

III. PROPOSED ORDINANCE TRACK CHANGES

Photo by Alyssa Leicht

Proposed changes in red.

- of the licensed or permitted establishment, the type of event for which an exception is applied, the proposed date for the event and the time of the event;
- 2. All alcoholic liquor, wine or beer is removed or stored so that it is not available for sale or consumption during the period of the special event;
- 3. A special event exception shall be valid through the date of the special event or for the duration of the alcoholic liquor control license, wine or beer permit, whichever is first in time;
- 4. Failure to comply with the terms of this special event exception shall result in the revocation or denial of such an exception application for one year; or
- c. For special events not exceeding five days in duration where a street closure has been authorized by the city council and a temporary liquor control license has been issued, the chief of police may issue a special exception for the event, such exception to be limited to outdoor areas covered by the temporary liquor control license. The chief's discretion may include but is not limited to past experience with policing the same event, staffing, and any special difficulties in policing the proposed event.
- d. The licensee or permittee posts a current exception certificate at the main entrance in the view of patrons of the licensed or permitted establishment.
- e. The licensee or permittee applies for and qualifies for an exception certificate from the chief of police as follows:
 - 1. The licensee or permittee is a designated venue defined as booking at least **150 ticketed or cover charged** live performances per year, with a dedicated and installed stage (**of at least 8'x6' in dimension**), public address system and lighting system; **The venue must also have an employee whose primary job is to book acts, and a portion of the door proceeds are shared with the artist.**
 - 2. Minors aged **16 through 20** 18 through 20 years are allowed in the designated venue until 11:30 p.m. Minors under 18 years may not remain in the designated venue past 9:00 p.m.
 - 3. The designated venue shall demand photo identification at the door and shall identify, by use of wristband or other equally effective means, those persons 21 years of age and older who may legally purchase alcoholic beverages;

III. PROPOSED ORDINANCE TRACK CHANGES

Photo by Alyssa Leicht

Proposed changes in red.

4. The designated venue shall be responsible for the security of the venue and any other areas such as parking lots under its ownership or control;
 5. The designated venue shall make its best effort to provide the police department vice unit with a schedule of events at least 30 days in advance. When an event is booked after submission of the monthly schedule, the venue shall notify the vice unit by telephone, fax or electronic mail at least ten days before the event, in which case the event shall be submitted as part of the next monthly schedule;
 6. ~~The designated venue must demonstrate to the police department vice unit that at least 50 percent of its gross receipts are derived from items other than alcohol sales, which may include, but are not limited to, income from cover charges, ticket sales, entertainment fees, articles of apparel, food, drink mixes or non-alcoholic beverages;~~
[This section removed]
 7. The chief of police may issue an exception certificate if the licensee or permittee seeking an exception as a designated venue has satisfied the requirements of this subsection;
 8. This exception shall be effective for a 12-month period from its date of effect, at which time the city council will determine whether to implement the exception on a permanent basis.
- (2) Fail to post notices at all entrances to the licensed or permitted premises in the view of patrons of the licensed or permitted establishment that persons under legal age are not allowed in the premises after 9:00 p.m. unless the licensee or permittee has a current exception certificate under subsection (1) a, (1)b, (1)c or (1)e of this section.

IV. BAR VS. LIQUOR LICENSED MUSIC VENUE

THE MUSIC DOESN'T STOP AT NINE

A STATEMENT ON DIFFERENTIATING BARS AND TAVERNS FROM MUSIC VENUES THROUGH PRIMARY PURPOSE

Thomas L. Kutz, MA, JD

Issue:

Disallowing minors into establishments which have an alcohol sales permit, but are not decidedly "bars" is a dangerous precedent, harms economic development of certain entertainment based industries (particularly small music venues and clubs) and stagnates artistic and creative development for individuals under age 21 due to a lack of access to both see performances and participate in performing in a professional setting.

Question:

What differentiates a bar or tavern from a music venue to allow admission to an individual under 21?

Analysis:

In practical application, laws, ordinances, rules and regulations are framed in a way which makes sense for the target of the particular legislation or statute, but have secondary, tertiary, and quaternary effects which reach far outside their focus. Historically, cities and counties have chosen

not to enforce certain aspects of those laws because it was not the subject of focus in the initial establishment of the rule, it doesn't meet the intended purpose of the statute and would be considered overreach. Such is the case barring minors in any establishment which holds an alcohol sales permit, it makes sense for bars and taverns, but not much else.

In the case of music venues, the primary focus of the business is not the sale and distribution of alcohol, but the performance of cultural arts, music, and theatre to an audience. This is the primary function, focus, and purpose, rather than the aforementioned bar or tavern where the primary purpose is the sale and consumption of alcohol. It is important to note that the primary purpose does not always follow the primary source of revenue.

Music venues attempt to keep costs low and offset them with other revenue sources where possible. It's incredibly expensive to run these venues, between insurance, maintaining equipment, and paying talent both on and off-stage it's not a simple, easy, or cheap set of requirements to complete for a music venue to stay operational. Additionally, ticket sale prices are often normalized based on national or regional rates, or there is simply no cover for admission whatsoever. Therefore, the most cost-effective method for raising the necessary revenue to keep the business afloat is alcohol sales, particularly in this setting in which a 5x mark-up on the base

For clarity, the primary purpose of a business is the core function or activity which establishes the clientele, fundamentally, the reason for which the business exists.

IV. BAR VS. LIQUOR LICENSED MUSIC VENUE

cost of a drink is considered average. This makes the primary revenue source alcohol sales, while the primary purpose of the establishment is musical entertainment.

Music venues are not the only establishments which take advantage of this mark-up in order to bolster their business. The primary purpose of a bowling alley is to go bowling, yet right next to the lanes there's a fully stocked bar. Reception halls are rented out for the purpose of holding special events, yet they most often offer a fully stocked bar as well. Nearly every cultural festival and block party in the city offers a social gathering space with alcohol readily available for the cost of a few dollars and a short walk. These entities exist with alcohol, with bars and alcohol sales present, without being defined by that aspect of the business. Therein, it is possible to make the logical assertion that a music venue may have a bar without being a bar, as it does not reflect the primary purpose of the business as a whole. The primary purpose is that purpose which establishes the clientele, that reason for which the business is actually in business. Music venues don't exist to sell alcohol as previously addressed, they exist to sell a live music experience. This is often times only made possible by offsetting cost through the sale of alcohol due to the profit-margin on that sale.

None of these points on primary purpose take away from the individual responsibilities of owners, managers, and security at these establishments to ensure the safety of individuals under the age of 21 by ensuring they are not participating in any illegal activities. Nor does it deter the necessary personal responsibility of the participating individual under 21 or their parents/guardians should they be under the age of 18.

Conclusion:

The primary purpose of the clientele differentiates bars or taverns from music venues. Given the potential economic and social benefits, it seems irrational that the City would continue to maintain a policy barring individuals under the age of 21 from music venues after 9pm, those businesses whose primary purpose is the performance of live music entertainment. This is not an argument to allow minors into bars, in fact the proposal at hand seeks nothing of the sort, rather it is recognizing the inherent benefits to allowing all ages into music venues while maintaining personal safety and accountability on behalf of all parties involved. To clarify this point, I recommended the creation of a local, legal definition of a "music venue" which is dependent on primary purpose rather than revenue streams or gross receipts.

V. ECONOMIC IMPACT OF CITY CODE: SECTION 10-8

Photo by Savannah Lane

IN ORDER FOR OUR MUSIC ECONOMY TO THRIVE and drive other areas of the economy, public policy needs to reflect the needs of businesses that curate live performance of music, such as liquor-licensed venues. Music venues are a substantial portion of the overall music economy and can drive the direction of a music scene as well as offering intangible assets of sense of place and cultural vibrancy. In cutting off a large segment of the population to this niche culture and intimate musical experience, venues cannot survive on older populations and alcohol alone. Something needs to change to reflect the growing music economy in Des Moines.

Music Venues

The more customers that attend live music means more revenue and traffic into the performance venue, thus increasing the revenue for many musicians. This eventually maintains a culture of music patronage and emphasizes the importance of the arts to the community. Seems simple, right?

Currently only four venues in Des Moines affected by this ordinance: Vaudeville Mews, The Gas Lamp, Noce, and Lefty's Live Music. One might argue that since this ordinance only affects a small number of businesses, it's not worth fighting for. However, one might ask, why are there only four locally-focused, affordable, and youth-oriented venues, why aren't there more? When you cut off an entire segment of the population from affordable live music after 9 p.m., there tends to be less demand for that live music,

especially when young people are huge consumers and drivers of the music industry.

These small local venues that double as liquor-licensed establishments are suffering from a small clause in the ordinance, which requires venues to prove that at least 50% of sales are not alcohol. This becomes very difficult for these very small venues, who coincidentally also offer lower ticket/cover prices than venues not affected by the ordinance (i.e. Wooly's, Des Moines Social Club, the Continental). Wooly's is able to have all ages shows that extend past 9 p.m. due to their higher ticket prices. Not everyone can afford a \$20-30 cover on a given weekend, especially young people.

The Benefit of Mid-range Shows

Oftentimes with the restriction in place, showtimes at local venues suffer immensely. When venues are restricted by the 9 p.m. curfew, they are forced to schedule two separate shows, one that is too early for most people around 4-5 p.m. (students are getting out of school and adults are still working around this time) and one that ends late. Mid-time shows are ideal for a wide range of the population. With start times around 7-8 p.m. and ending around 11-11:30, benefits are seen with every age. Many all-ages shows at Wooly's, Wells Fargo Arena, Hoyt Sherman, Civic Center, etc. all start around 7-8 p.m. This is a good time because it allows students and working adults to finish work or school. With an end time around 11:30, this is a great cutoff for young people in terms of safety. Parents do not

"A vibrant music economy drives value for cities in several important ways: job creation, economic growth, tourism development, city brand building and artistic growth. A strong music community has also been proven to attract other industrial investment, along with talented young workers who put a high value on quality of life, no matter their profession. Successful Music Cities create a supportive environment for artists so that they can focus on doing what they do best: making music."¹

"The more local governments listen, the more Des Moines will better facilitate the growth and development of creativity."

— Local food truck owners & operators, 03.02.²

1 IFPI, "The Mastering of a Music City: Key Elements, Effective Strategies and Why It's Worth Pursuing", (IFPI, 2015), [page].

2 Abigail Rose, [page].

V. ECONOMIC IMPACT OF CITY CODE: SECTION 10-8

Photo by Savannah Lane

want their teenager out any time after this and young people would probably be looking for entertainment until this time anyways. Adults alike find that their nights “out on the town” end around this time, especially in terms of live music. Additionally, in conversations with city council in 2015, 11:30 was deemed an acceptable curfew.

Musicians/Creatives Career Development

For many musicians, live performances are a main source of revenue. As the music scene here in Des Moines grows, there will be a continuing need for a wide range of performance spaces that are able to cater towards young and beginning musicians as well as experienced touring artists. People need lots of options in close proximity to one another and so do the artists! Without multiple places to play, musicians are left in the dust.

The Vaudeville Mews, Lefty's Live Music, The Gas Lamp, and Noce are venues that have the potential to provide ample opportunities for young and/or new bands. Though technically a performer under the age of 21 is allowed to play at these venues after 9 p.m., oftentimes they are turned down to do so due to potential for liability. For example, local musician, Lily DeTaeye (age 19) represented by Station 1 Records has recently suffered tremendously from this ordinance.

In a statement from 19-year-old local singer-songwriter, Lily DeTaeye, it's easy to see how this ordinance impacts musicians and artists themselves:

“In a city that is trying to expand its culture, specifically through the music scene, this ordinance seems counterproductive. The young people are where it's at. This next generation of performers is what will build the music scene in Des Moines. I am a 19 year old performer that has been playing in venues across Iowa for about 5 years now. As I've gotten older I've begun to look for venues that will match my maturing sound and that will provide an appropriate audience. Because I am not 21, I have lost opportunities to play at such venues. It seems strange to me that in the State of Iowa I can be a bartender at 18 but at age 19 cannot play a show in a venue that happens to serve alcohol. Additionally, age restrictions affect audiences. The majority of my friends and fans will not be able to come see shows because of their age, thus discouraging them from supporting local music as they have no means of consuming it. We, as younger artists, are trying to grow. In a city where most of the popular music venues have age restrictions, there is little room for younger artists to begin to emerge into the scene. To continue to cultivate the massive amount of younger talent in Des Moines, something must change.”

- Lily DeTaeye

Tourism

“For cities looking to generate economic benefits from live music, tourist spending is a key part of the equation. Not only does tourist spending represent “new” money to a city, but it also generates additional



According to the *Music Consumer Insight Report 2016*, “Young people are highly engaged with music, with 82% of 13-15 year-olds listening to licensed music and the majority willing to pay for music”³ 82 % of young consumers (ages 13-15) are actively engaged with licensed music. 52% are purchasing music and 54% are streaming. These percentages are higher than the overall average for music consumption. Thus we can clearly see that young people are at the heart of music consumption and they are willing to pay for that music.

³ Music Consumer Insight Report 2016, Ipsos Connect, 3.

V. ECONOMIC IMPACT OF CITY CODE: SECTION 10-8

Photo by Savannah Lane

spending beyond music. When tourists travel to experience live music, whether a concert, music festival or a favourite band in a basement venue, they will spend significantly more on hotels, restaurant meals, bars and other local attractions.”⁴

Des Moines has positioned itself as a city focused on increased tourism for residents and visitors alike. The Greater Des Moines Convention and Visitors Bureau (Catch Des Moines) boasts proudly on its website a vibrant music and arts scene here in the Des Moines area. Additionally, Des Moines has seen major success in topping nationally ranked charts in areas including:

- **#1 BEST CITY FOR YOUNG PROFESSIONALS** (*FORBES*, 2014);
- **#1 CITY WITH AN UP-AND-COMING DOWNTOWN** (*FORTUNE*, 2014);
- **#1 METRO FOR ECONOMIC STRENGTH** (*POLICOM CORPORATION*, 2014); AND
- **#1 WEALTHIEST CITY IN AMERICA** (*TODAY SHOW*, 2014).⁵

LET’S TAKE A LOOK AT AUSTIN, TEXAS, which has proven to be well on its way to becoming the “Live Music Capital of the World”, especially according to their Mayor Will Wynn: “We need venues like the Mohawk and some of the other venues to be successful. They gotta be in town. We gotta have a bunch of venues that are downtown, so that folks can walk to five or six or eight

or ten or twelve venues in one night, and see fifteen, twenty, thirty bands during South by Southwest.”⁶ It’s important for residents and tourists in Des Moines to be able to have multiple options for live music and the venues need to be in close geographic proximity (downtown Des Moines).

Take this statistic: “Austin, Texas. Music tourism accounted for almost half of the U.S. \$1.6 billion of economic output and U.S. \$38 billion in tax revenue attributed to music there in 2010. SXSW, the city’s iconic annual music festival, is a magnet for tourists and music industry professionals from all over the world.”⁷ Des Moines has the same potential to generate economic output via the music industry and cement its place as a “Music City”, much like Austin.

We’ve seen an increase in downtown Des Moines tourism from recently changed public policies, especially the one revolving around food trucks. The All Ages Ordinance may seem like a small change, but it can bring about a huge increase in focus on the music and greater cultural industries.

Tourists and residents alike demand multiple options for live music. When only a few or no local and affordable options are presented, patrons are likely to not even go out and see live music. They need what Austin’s Mayor Will Wynn boasted: multiple venues in close geographical proximity (i.e. Downtown Des Moines and surrounding areas) that cater to a variety of audiences. Des Moines is lacking in this area and we feel that this would be remedied with a change in City Code.

4 IFPI, “The Mastering of a Music City”, [page].

5 Kurt Beringer, Des Moines’ Potential as a Music City: Policy Recommendations for the Fostering and Growth of the Music Scene” (Iowa State University, 2016), 6.

6 Jonathan R. Wynn, *Music/City: American Festivals and Placemaking in Austin, Nashville, and Newport*, (Chicago and London: The University of Chicago Press, 2015), 5.

7 IFPI, “The Mastering of a Music City: Key Elements, Effective Strategies and Why It’s Worth Pursuing”, (IFPI, 2015), [page].

Photo by Savannah Lane

Youth Retention

The ordinance is giving the message to young people that we do not want their participation in live music, and ultimately the greater cultural and arts industry. Young people are the music industry's future customers, curators, and musicians. When young people are cut off from live music, they won't be able to foster their own creativity or their long-term love for attending live music.

"How do we expect young, talented artists or their supporters to develop their own aesthetics and sense of awareness if we don't expose them to what Des Moines has to offer? Are past regulations clouding Des Moines' youth's freedom of expression? Are we inhibiting their chances to engage with the city? If they aren't able to engage while they're here, will they be less inclined to experience Des Moines?"⁸

When I interviewed a young student at Drake University, she explained to me the frustration of missing out on live music in Des Moines:

" I feel really upset. Coming from Chicago I was able to go to almost everything. I was able to go to a jazz showcase, go to the metro when my friends played there. I can't do that now that I live into Des Moines. I can't even get into Noce, the jazz club. The big band will play, then

we get kicked out before it ends. There's been a lot of things I get invited to on Facebook, I look and it says 21 and over... I instantly have to decline."

- Marisa Maniglia, age 19 and sophomore at Drake University.

Statistics show that the growth of young people in the Des Moines metro area (age 15-24) is growing far more rapidly than the national growth (see beside).⁹

In a study done by Kurt Beringer of residents in Des Moines, "The large majority of respondents (80%) said that the local music scene was not a deciding factor in their choice to move to Des Moines. This indicates that Des Moines is not known for its music scene, and in its current state does not attract significant numbers of new residents to the area. Twenty percent of respondents did however say music was a deciding factor in their choice to move to Des Moines. The majority of these respondents falls within the 25-34-age range and are working full time as media editors, TV professionals, musicians, bartenders, marketing consultants, political professionals, attorneys, and chefs. These results met expectations since young professionals are the target group when attracting new residents to a city."

It shows that Des Moines has some growth potential in becoming an attraction for young professionals who value a vibrant music scene.

⁸ Abigail Rose, 81.

⁹ "Des Moines Regional Research, Stats & Data Hub", http://www.desmoinesmetrodata.com/chart_forms/popagerace/.

V. ECONOMIC IMPACT OF CITY CODE: SECTION 10-8

Photo by Savannah Lane

Overall Economy

In examining economic research done on the surrounding music economy, one can see that the music industry plays a significant role in the overall economy of a city, in and of itself. Additionally, a strong music economy can contribute to other areas of the economy (tourism, quality of life, restaurant industry, visual arts, etc.).

A study recently procured by by Bravo Greater Des Moines found that those arts organizations which are funded by Bravo contributed a combined regional economic impact of \$120.9 million in 2015 and was responsible for employment of 2,336 people, engaging around 3.7 million attendees and participants.¹⁰

Central Iowa's music economy is extremely important in the landscape of the overall regional economy. Industries including musical performance organizations, promotions, independent artists, music stores, radio, recording industries, instrument manufacture employed 968 job holders from those firms earning \$23.85 million in labor income in 2013.

- **1,322 TOTAL JOBS IN THE FIVE COUNTY REGION**

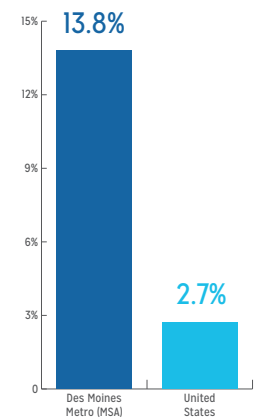
- **39.62 MILLION IN LABOR INCOME, AND**

- **65.81 MILLION IN REGIONAL VALUE ADDED, A NUMBER THAT IS ANALOGOUS TO REGIONAL GROSS DOMESTIC PRODUCT (GDP).**

In talking personally with Iowa State economics professor Dave Swenson, he emphasized to me that the music economy is obviously quite small in comparison with the whole, yet contributes a fairly substantial portion of the creative/arts economy which thus factors into the overall quality of life enjoyed by Central Iowa.¹²

% GROWTH, AGES 15 - 24, ALL RACES, 2006 - 2015

Des Moines Metro (MSA) vs. U.S.



¹⁰ "Capital Crossroads 2.0: Cultural Capital." <http://www.capitalcrossroadsvision.com/capitals/cultural-capital/>

¹² Dave Swenson, "Central Iowa's Music Economy", (Ames, Iowa, Iowa State University, March 2014), 1.

VI. COMMUNITY AND CULTURAL IMPACT

APART FROM ECONOMIC IMPACT, the All-Ages Ordinance greatly affects the cultural landscape of the greater Des Moines area especially with regard to the city's sense of place for its residents, the city's current strategic plans, and with regard to inclusivity and diversity. The cultural and artistic identity of a city flourishes with the support of public policy and city leaders.

DES MOINES, IDENTITY, AND SENSE OF PLACE

Placemaking in Des Moines

Apart from tangible economic and cultural goals for a city, the often overlooked idea of "sense of place" can make a huge difference. Sense of place and the identity of Des Moines are crucial with regards to the local music industry.

"The establishment of sense of place promotes inclusiveness, neighborhood camaraderie, and attractiveness. The memorable place grants each individual with a positive experience with which to associate the environment. Arts and culture has been shown to invoke an increase of local human, physical, and cultural capital to enhance the sense of place of an environment."¹

Des Moines as a "Music City" (The Mastering of a Music City)

"Music can play a powerful role in building a city's brand. For a select group of cities with the strongest music scenes or deep music heritage, music is a big part of who they are. Think "Liverpool," and most people think "The Beatles." Think "Memphis," and music icons like Elvis and Johnny Cash come to mind. Austin's familiar tagline is "Live Music Capital of the World." Nashville is, simply, "Music City."

The essential elements of Music Cities are:

- **ARTISTS AND MUSICIANS;**
- **A THRIVING MUSIC SCENE;**
- **ACCESS TO SPACES AND PLACES;**
- **A RECEPTIVE AND ENGAGED AUDIENCE; AND**
- **RECORD LABELS AND OTHER MUSIC-RELATED BUSINESSES.**

It is also important to have multi-level government support for music, a broader city infrastructure conducive to the sector, and music education programs.

"Music needs a home. Or in the context of a Music City, it needs many homes: rehearsal spaces, recording studios, music education institutions and live performance venues. The latter must span a broad range of types: indoor of this report, and outdoor, small, medium and large; formal and informal. Shabby basements where budding artists get a start. Massive concerts halls filled to capacity by international superstars. Parks used to host music festivals. These and other places are where artists connect

¹ Abigail Rose, "Expose Des Moines", 13.

VI. COMMUNITY AND CULTURAL IMPACT

with music fans. They are the places where musical talent is developed and music is created, perfected and recorded.”²

“ In the most advanced Music Cities, such spaces and places form a large and complex music ecosystem where music can flourish and artists can grow. Often, there is an “organic” aspect to the development of a rich ecosystem. Music venues and their patrons tend to cluster on certain streets and in specific districts. The infrastructure, expertise and artists that nurture one recording studio can spawn others. More importantly, however, are the policies and programs initiated by both the public and private sectors. These policies and programs are important or even essential to protect existing music spaces and create new ones.”

Existing City Plans

“ In order to enact policy adaptations and additions, city planners need to engage and listen to creatives, creative venues, organizations, and city institutions. City policy needs to represent the people and their vision for the future of the City of Des Moines.”³

Currently, the city of Des Moines seeks to support the efforts of artists, musicians, creatives, and other placemaking objectives through several city planning policies, such as Capital Crossroads, Tomorrow Plan, and PlanDSM. Through examining one of these plans, the necessity for an amendment of the All-Ages ordinance is clearly apparent.

Arts and culture are seemingly central to the goals for this city, thus making this change a priority in order to accomplish those goals.

Capital Crossroads was first introduced in 2011 as a regional plan for the greater Des Moines area. The 2016 iteration was released by a Steering Committee of community leaders and focuses on 10 work platforms or “capitals”. Especially notable are its goals of sustaining cultural, social and human capital. According to their website “It’s the goal of many leaders and young professionals to elevate Greater Des Moines to an arts and culture-centric destination like Portland or Austin. We’ve set our expectations high, and we plan to continue setting them high during our Regional Cultural Assessment outreach and development.”⁴ Through examining cultural, human, and social capital goals, All-Ages access becomes essential to the accomplishment of these goals, set forth by Capital Crossroads:

- Increase of venues and events exposing and nurturing Des Moines creatives
- Better funding to further the development of the music economy
- Ensure collaboration among arts and culture institutions and organizations
- Enhance opportunities for creatives to showcase their work to the public
- Sustain and grow the resources to support the arts economy
- Continue talent retention and attraction through the collaboration of city entities working together

2 IFPI, “The Mastering of a Music City: Key Elements, Effective Strategies and Why It’s Worth Pursuing”, (IFPI, 2015), [page].

3 Abigail Rose, 81.

4 Capital Crossroads 2.0: Cultural Capital.” <http://www.capitalcrossroadsvision.com/capitals/cultural-capital/>

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- More diverse human capital
- Sense of place
- Maintain an effective Central Iowa business climate and entrepreneurial ecosystem
- Make Central Iowa a national model of leadership, diversity and inclusion, social equity, and civility

Retaining talented creatives as well as increasing arts patronage requires the inclusion of young people. Without access to entertainment options and arts and culture opportunities, we cannot retain the youth that already live here. Enhancing opportunities for creatives means giving them a space to showcase their work and to experience the work of other creatives

INCLUSIVITY AND DIVERSITY

Inclusivity

"Over the past thirty years, open space, public space, and cultural experiences have become very age-segregated, with teenagers losing out in almost every instance. For young people whose interests fall outside of sports or other mainstream opportunities finding a place to fit in can be hard, especially for those interested in music"⁵

As we've seen with Capital Crossroads, the city's emphasis on inclusivity has been claimed. In order for true inclusivity to occur, one needs to look at all demographics, including those between age 14-24 (what I would categorize as "youth", or "young

adult"). Because the legal drinking age is 21, this automatically excludes even youth in their adulthood. Teenagers and young adults are stereotypically looked upon as reckless and impervious to danger, contributing to another reason why an 18-year-old adult cannot enjoy live music on a Friday night. Music is limited for young people because these activities are seen as a gateway to "trouble". Why do cities associate music activities with danger at all costs?

"The cause is a catch-22 of public-safety rhetoric:

- Teenagers are menaces to the public who must be closely monitored and controlled
- Teenagers are at constant risk of being preyed upon and must be monitored and controlled"⁶

In thinking about social and cultural activities for young adults (14-21), oftentimes the only options are sport-related, church, school activities, or drugs and/or alcohol. Without a safe space to experience entertainment, options are limited for some kids who aren't lumped into the former categories. Ordinances around the country use this anti-teen rhetoric to greater reduce the quality of entertainment offerings for especially older teens approaching actual adulthood.

An 18-year-old cannot currently attend a 9pm show at the Vaudeville Mews. However, they can do these things:

- Vote for city council representatives

5 Shannon Stewart, In *Every Town: An All-Ages Music Manual* festo, first trade edition (Tides Center, 2010), 59.

6 Shannon Stewart, In *Every Town: An All-Ages Music Manual* festo, first trade edition (Tides Center, 2010), 59.

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- Fight in wars
- Smoke cigarettes
- Attend a strip club

For those under 18, they fair even more dismally, as they are rarely consulted in public policy and have little power in addressing the policies that affect their lives directly. Thus the All-Ages ordinance amendment requires leaders in the community to speak up and advocate for their needs.

It may sound cliché, but music is a universal form of communication. Live music can have a positive impact on anyone at any age. To exclude an important segment of the population from something so positive is to diminish any semblance of inclusivity. Teenagers are human beings who demand something more. Live music can change lives of the artists and audience. Young people are a huge part of the Des Moines identity and can no longer be pushed to the shadows of our city's burgeoning music scene. A city's identity should encompass all who inhabit it, not a portion that excludes some of the most important stakeholders in the future of this community.

Diversity

“ There is nothing like music as a means to connect people, bridge linguistic and cultural divides and provide an avenue for identity and expression. Music is a transformative experience”⁷

Des Moines is a lot more diverse than we give it credit for and has seen immense

growth in percentage of young people (ages 15-24) and especially an immense growth in the percentage of young minorities (Hispanic, African American, etc.) since 2006. Des Moines has become somewhat of a center for millennial attraction, according to KCCI Des Moines, partly due to the wealth of professional opportunities, low cost of living, and transportation options. As a result, more young people are moving here, staying, and even starting families. Des Moines has increasingly appeared at the top of many lists for best places to live and work – so why don't we create an environment where they feel welcome and have access to entertainment options?

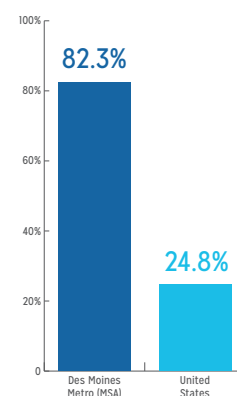
Compared with a national average of 2.7% growth between 2006 and 2015, the Des Moines Metro has seen a 13.8% increase in young people ages 15-24. We need to make the city more welcome to this increase in young people.

The percentage of growth in minorities of young people in Des Moines has seen tremendous growth, especially in comparison with the rest of the U.S.

Between 2006 and 2016 alone, the growth percentage of black population ages 15-24 was 58.1% and the Hispanic population in the same age range grew a whopping 82.3%? This intense growth in diversity in the Des Moines metro area surely means that young people demand diversity in music tastes and music venues. Young people drive the music interests of the entire population.

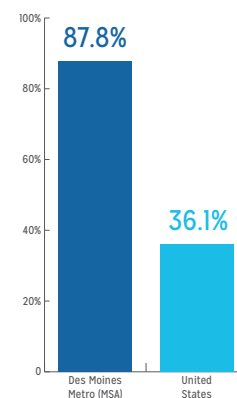
% GROWTH, AGES 15 – 24, HISPANIC, 2006 – 2015

Des Moines Metro (MSA) vs. U.S.



% GROWTH, AGES 15 – 24, ASIAN, 2006 – 2015

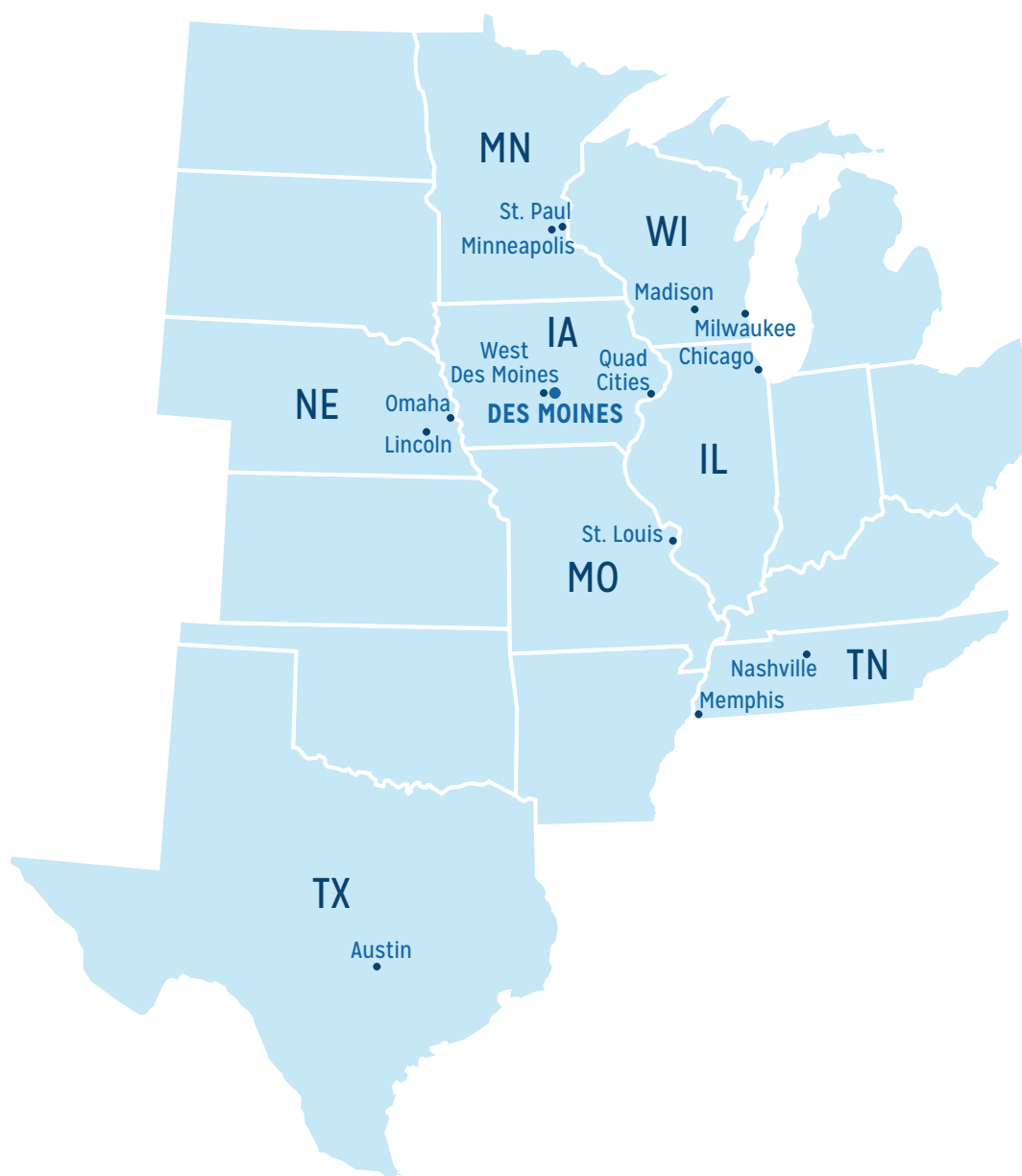
Des Moines Metro (MSA) vs. U.S.



7 IFPI, “The Mastering of a Music City: Key Elements, Effective Strategies and Why It’s Worth Pursuing”, (IFPI, 2015), 13.

VII. COMPARING DSM TO OTHER CITIES

THE FOLLOWING IS A LIST OF U.S. CITIES, midwest, coast to coast, and right next door, which can say they allow those under 21 in liquor-licensed venues after 9 p.m. Why is Des Moines behind in this regard?



West Des Moines, IA
Quad Cities
Chicago, IL
Minneapolis, MN
St. Paul, MN
St. Louis, MO
Omaha, NE
Lincoln, NE
Nashville, TN
Memphis, TN
Austin, TX
Madison, WI
Milwaukee, WI

VIII. OPPOSING VIEWPOINTS & COUNTER-ARGUMENTS

“IT IS DANGEROUS TO HAVE UNDERAGE PEOPLE IN BARS WITH REGARD TO RISK OF UNDERAGE DRINKING, PREDATORY THREAT FROM OLDER ADULTS, AND VIOLENT CRIME.”

Music venues which are required to enforce a strict system of checking IDs, providing wristbands and/or clear identification of minor vs. non-minor, are a safe and regulated space for young people to participate in something that is positive. The risk for danger is more prevalent in larger venues as it can be difficult to monitor larger crowds effectively. Alcohol flows more freely at large arenas, music festivals, sporting events, and even bowling alleys. The small local venue is a safe and intimate space where drinking underage will not be tolerated under any circumstance.

Additionally, all-ages shows are currently happening consistently at these same venues. Venues are just as safe at 11 p.m. than at 8 p.m. At venues not affected, such as Wooly's, minors are allowed to stay after 9 p.m. in an environment that is extremely similar to the Vaudeville Mews.

“ADULTS DON'T WANT KIDS IN BARS. KIDS CAN BE LOUD, OBNOXIOUS, DISRESPECTFUL AND SELF-ABSORBED.”

These “kids” are actually more like young adults. At age 18, you are considered an adult with all the responsibilities and rights that go along with it.

Secondly, drunk adults can be just as obnoxious if not more than a mature 20-year-old. Young people need to be around adults more often who model appropriate public behavior. We're not doing them any good by pushing them out to find other (perhaps less safe) forms of entertainment and leisure. Young people will feel more respected if we actually want them there rather than them having to sneak in.

“I DON'T WANT MY KIDS OUT PAST 10 P.M.”

If you don't want your 16-year-old out past 10 p.m., that is between them and the parent. The venue should not be responsible for enforcing personal curfews. Similarly, the curfew for anyone under 21 will be 11:30 p.m., which is a reasonable end-time for many shows.

“WHAT ABOUT THE VENUES THAT DON'T WANT MINORS AT THEIR SHOWS?”

Venues always have the option of 21+ only shows. This is done by Wooly's who is exempt from the ordinance. This can be done with later shows that extend past 11:30 p.m.

“WE ALREADY HAVE A THRIVING MUSIC SCENE IN DES MOINES WITH EVIDENCE OF GROWTH.”

This is true. The momentum for the Des Moines music scene is in our favor. However, the music scene needs to thrive for all demographics, not just those that



VIII. OPPOSING VIEWPOINTS & COUNTER-ARGUMENTS

are already spoken for. Although there is evidence of growth, there is always room to grow, because the music scene will never be perfectly inclusive or thriving unless the status quo is continually challenged. Touring bands with a younger fan base are playing Minneapolis, Omaha, and Iowa City instead of Des Moines due to this all ages restriction. This is resulting in impact on attendance by causing loyal music fans to travel to these shows and is a net of Des Moines dollars rolling out of town. It also gives young people the impression that Des Moines doesn't want them here. We need to retain our youth after graduation, attract college students to Des Moines, and give them something to do to show we value their interests. Growth does not mean all problems are solved.

Cities with vibrant music scenes rely heavily upon those under 21 to consistently reach successful attendance numbers. If the city wants to continue a future of live entertainment inside the city limits, the restriction needs to be lifted. Otherwise a majority of live entertainment in the city will move to the suburbs, such as West Des Moines, which does not have this ordinance.

“WHY DON'T WE JUST OPEN MORE MUSIC VENUES THAT DON'T SERVE ALCOHOL?”

In looking at a model venue, one can see that past attempts have been unsuccessful. Yes, they've catered to kids and only served soda, but then they weren't attracting a wide-ranging audience and relied heavily on only one portion of the population to stay

afloat. We need to allow and attract BOTH kids and adults for these businesses to survive. Venues thrive on alcohol sales that sometimes could make up 2/3 of their income.

Small venues, like those affected in Des Moines (Vaudeville Mews, Lefty's Live Music, Noce, and Gas Lamp), simply cannot adopt a business model that doesn't allow for the sale of liquor without having to raise entry prices. Smaller venues tend to also double as bars that cater to a wide range of the population. Sometimes these venues may be the only opportunity for a young person to feasibly (1) afford the cover charge and (2) experience local/intimate live music. Many of the venues that don't serve alcohol to the percentage level of smaller venues (i.e. Hoyt Sherman, Civic Center, Wells Fargo, Wooly's) are not necessarily affordable for most young people age 16-21. They are more likely to spend \$5 at Vaudeville Mews to see their favorite local band on a Friday night than \$60-100 on a larger and less intimate show.

It's not an “entertainment exemption for bars,” it's an “age exemption for music venues.”

“THERE PLENTY OF ALL-AGES SHOWS ALREADY IN PLACE.”

This is true. However, venues are strained to curate all-ages shows with the time restriction. Many touring bands are unwilling to play before 9pm so they just avoid our city altogether, limiting the options for all ages shows because they then can't play to their target audience. Early shows still put kids



VIII. OPPOSING VIEWPOINTS & COUNTER-ARGUMENTS

out on the streets later at night and/or push late shows even later, which upsets adults. Many adults don't come to the early shows, so venues lose money by trying to support underage music lovers. Des Moines needs to cater to both demographics simultaneously. Venues can't feasibly continue splitting shows between early and late. It has been found that show times occurring between 7pm - 11:30 pm cater to young adults, parents, the venue, and artists alike. We agree with parents that kids shouldn't be out past 11:30-midnight and we want to adjust the ordinance to reflect this need for more mid-range shows.

"I DIDN'T HAVE ALL AGES SHOWS GROWING UP AND I TURNED OUT OKAY."

Young people who lack the exposure to quality live music are limited in their opportunity to continue as repeat customers of local live music. Similarly, young musicians and other creatives are not as likely to contribute to the music scene if they've never been exposed to it. "Audience development must begin long before young people reach university age. Tomorrow's music fans are developing their entertainment tastes today." This law was not in place when past generations grew up. Increasingly young people are paying for music and want to experience live music. We need to give them an outlet.

"THERE MUST BE A REASON WE HAVE AN ORDINANCE IN PLACE, WHY MESS WITH IT NOW?"

The ordinance is hugely outdated and places an unfair advantage for venues who depend on concession sales to survive are the only ones who can meet the ordinance of 50% non-alcohol sales. Soda sales are never going to reach 50% even with ticket sales. Drinking age people spend 3 times as much on alcohol as kids do on sodas (more money to spend, alcohol just costs more, plus generally more consumption) - there needs to be an even playing field. 50% was set in the 1960s to apply to taverns/restaurants, so the rule is a bit outdated.

The ordinance on dancing was written during WWII and was designed to target private clubs that were operating outside of the licensing process. It was one of many ways the city tried to crack down on the Key Clubs that were targeting the soldiers stationed at Fort Des Moines.

Several years ago, a one-year experimental "music venue" exemption was allowed for The House of Bricks (now Streetcar 209). The only requirement for this variance was that the venue had to host at least 180 music events during the year. The House of Bricks completed the one-year trial exemption with no reported issues. Due to unclear political reasons and pressure from the police department, the city council choose not to permanently adopt the exemption for venues meeting the designated "music venue" criteria. This inaction, with the combination of other outlying factors, caused the historic House of Bricks to close.



IX. SUMMARY

IN SUMMARY, the Music For All Ages movement fully intends to amend an ordinance of the Municipal Code of the City of Des Moines, Iowa through grassroots support and continual conversations with the Des Moines Police Department (DMPD) and Des Moines City Council Members. We hope to see this amendment voted into place by early 2018.

In working closely with safety concerns of DMPD and City Council, as well as business concerns of the music venues affected, we feel that the Des Moines Music Coalition and the Music For All Ages committee can find a realistic and safe solution to Section 10-8 of City Code.

The 50% exception rule has been found to be extremely unrealistic for smaller venues. The primary purpose of these businesses are the performance of cultural arts, music, and theatre to an audience. This differentiates the primary function, focus, and purpose from bars or taverns whose primary purpose is the sale and consumption of alcohol. Four key venues suffer and cannot cater to a key demographic.

Economically, the ordinance is impacting the scene in many ways, especially regarding the venues themselves, musicians and creatives, tourism to Des Moines, retention of area youth, and the overall economy. Many other cities can boast a better system and solution to the problem (see section VII).

Now is the time to change this outdated ordinance and make the city safer for young people who demand cultural and artistic opportunity. This packet has hopefully provided the reader with ample information backing up the need for an amendment. We hope for an open, honest, and transparent dialogue with the city, Des Moines residents, business-owners, and young people.

X. CREDITS & REFERENCES

BIBLIOGRAPHY

Bearinger, Kurt. *Des Moines' Potential as a Music City: Policy Recommendations for the Fostering and Growth of the Music Scene*. Iowa State University, July 2016.

"Capital Crossroads 2.0: The Vision Plan for Greater Des Moines and Central Iowa." <http://www.capitalcrossroadsvision.com/> (Accessed May 1, 2017).

"Des Moines Regional Research, Stats & Data Hub," http://www.desmoinesmetrodata.com/chart_forms/popagerace/.

Music Consumer Insight Report 2016. IFPI. <http://www.ifpi.org/downloads/Music-Consumer-Insight-Report-2016.pdf>

Rose, Abigail. *Expose Des Moines*. Spring 2016.

Stewart, Shannon. *In Every Town: An All-Ages Music Manifesto*. Tides Center/All-ages Movement Project, 2010.

Stewart, Shannon. "The All-Ages Music Movement: How it Impacts Culture, Civic Engagement, and Leadership." *A Working Guide to the Landscape of Arts for Change*.

Swenson, Dave. *Central Iowa's Music Economy*. Department of Economics, Iowa State University, (March 2014).

Swenson, Dave. *The Economic Value of Arts, Cultural, and Heritage Organizations to the Central Iowa Economy*. Dept. of Economic, Iowa State University (December 2015).

The Mastering of a Music City: Key Elements, Effective Strategies and Why It's Worth Pursuing. IFPI and Music Canada, 2016.

Wynn, Jonathan R. *Music/City: American Festivals and Placemaking in Austin, Nashville, and Newport*. Chicago: The University of Chicago Press, 2015.

X. CREDITS & REFERENCES

THANK YOU TO THE FOLLOWING FOR THEIR SUPPORT IN THIS GRASSROOTS EFFORT:

CORE TEAM

Molly Brandt
Lindsay Keast
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Adam Bartelt
Brady Mallon
Katie Graham
Kevin Brownell
Andrew Kane

FINANCIAL SUPPORT – 2017 TOTAL FUNDS RAISED: \$4,000

Mark Movic
John Krantz
Ruth Florez
Merlyn Winther
Blake Brandt
Tom Swartwood
Todd Jones
Tobi Parks
Sharon Walsh
Jill Haverkamp
Dave Rezek
Jim Cushing
Kyle Card
Amara Feitelson
Trevor Holt
Jack Meggers
Zachary Mannheimer

Cherish Anderson
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Ryan Elsbernd
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Hannah Marks
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David Wilkins
Bill Rogers

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Joe Roth
Kevin Shannon
Chase Schweitzer
Pamela Camper
Nicole Smith
Brian Campos
Oliver Queen
Maggie Schmitt
Sam Fathallah
Aimee Beckman-Collier
Tim Greene
Dustin Murrell
Ellen Power

X. CREDITS & REFERENCES

SPECIAL THANKS TO:

Amanda Martin	Catherine Lewen	Katherine Bauer
Renee Sedlacek	Andrew Pierson	Marisa Maniglia
Andy Cusack	Jeff Kane	Tim Schmitt
Zoey Miller	Brian Sauer	Finn Andersen
Chris Ford	Tate Clemen	Nick Valdez
Jessica Villegas	Miranda Koch	Derek Lambert
Phil Young	Matt Leimkuehler	Amedeo Rossi
Patrick Fleming	Marquas Ashworth	

ADDITIONAL CITIZEN SUPPORT

Courtney Krause	Jacqueline Pose	Lydia Oxley	Aileen Hunnell
Kurt Bearinger	Allison Richter	Kelsey Armstrong	Jeff Brandt
Andrew Pierson	Garett Carty	Zoe Kisner	Karina Garcia
Sara Routh	Kevin Murphy	Riley Hibbs	Blaine Woodson
Tommy Boynton	Beth Young	Betsey Coy	Murphy Cavanaugh
Ryan Steir	Dave Murphy	Rae Nervig	Marcos Flores
Marquas Ashworth	Charity Coons	Lynette Knaw-	Alize Olson
Kyle Folvag	Matt Banwart	Mensah	Karina Garcia
Bethany Joy Johnson	Karen English	Brienne Edwards	Erick Triana
Lily DeTaeve	Rob Shaw	Allison Smith	Ryan Koenig
Forest Cochran	Connie Welcher	Dan Wren	Sam Klemm
Natalie Lowe	Kelsey Greene	Alyssa Nicolai	Colby Johnson
Ryan McNulty	Peter Erickson	Tabitha Jamerson	Layla Sturbevart
Annie Goodroad	Erica Benson	Sara Newberry	Heather Halverson
Trevon Taylor	Trevor Smith	Megan Blaser	Rudy Kammel
Calla Whipp	Rob Heathers	Ava Logsdon	Becky Ringsby
Joseph Wellman	Ben Barndollar	Susan Vizcarra	Beth Neipert
Sam Meyers	Jeff vanTomme	Jonas Cutler	Brianna McWeeley
Anthony San	Kate Lichter	Shae Cornett	Jeremy Alvarez
Tommy Vuong	Xavier Stevenson	Emory English	Kelly Daza
Jennifer Leatherby	Catherine Dreiss	Angela Kermoade	John Axne
Taelor Beeck	Colin Lamb	Chris Glawe	Caroline Hicks
Sarah Mannheimer	Nick Mertes	Tyler Jensen	Sam Au
Liz Brown	Don Erickson	Dylan Sires	Heather Watkins
Jessica Richter	Elizabeth Cummings	Tracy Edwards	Isabel Daza
Ryan Anderson	Cecilia Smith	Bill Rogers	Noelle Fox

X. CREDITS & REFERENCES

ADDITIONAL CITIZEN SUPPORT (continued)

Mollie Fox	Mary Erickson	Darren Hushak	Chad Kegel
Kristen Smith	Ryan Schmitz	Bryan Baker	Brian Bradley
Daaneedn Gveen	Chris DeTaeye	April Ziskovsky	Paul Nye
Stacy Tartenaar	Sharon Cheshire	Chris Sampson	Seth Bacon
Christina Logsdon	Geoff Bales	Drea Rocha	Matthew Chatman
Amber Johnson	Christina Carbery	Leon Tan	Megan Ihnen
Josiah Johnson	Eva Otanez	Amy Lee	Jan Ackelson
Ellie Hilscher	Megann Grissam	Noah Bamonte-Grebe	Hannah Keisker
Ivy Beckenholdt	Simona Flores	Jennifer Webb	Rae Fehring
Erin Besser	Isabela Flores	Allie Shaw	Andy Buch
Kira Mathews	Santiago Flores	Marj Cannon	Kyli Selburg
Suzanne Steward	Julio Otanez	Hannah O'Grady	Pete DeKock
Mark Bequeaith	Jake Kerber	Mallory Baber	Hannah Bearinger
Chelle Doyle	Blanca Mathews	Aahil Alwani	Mandy Manning
James Lewin	Mary Mars	Olivia Anderson	Grant Manning
Lynn Hicks	Blake Vanhouten	Chris Petrick	Chianne Schweitzer
Jen Hibben	Sean Bremhorst	Matt Nielsen	Chelsi Wilkens
Ben Poppen	Wesley Belknap	Gaby Ordaz	Krissy Weiv
Nicole Kosby	Luke Belknap	Joe Sogard	Jaime Daza
Seth Hedquist	Lisa Burner	Tom Harper	

ORGANIZATIONS SUPPORTING

Des Moines Music Coalition	Vaudeville Mews	Station 1 Records
Lefty's Live Music	Drake University	Drake Engaged Citizen Corps
Noce	Des Moines Neighbors	Hip Hope Inc.
Gas Lamp	City Voices	Girls Rock Des Moines

CITY COUNCIL MEMBERS SUPPORTING

Josh Mandelbaum
Bill Gray

XI. COMMUNITY SUPPORT

ARTS NONPROFITS

City Voices

Mary Anne Sims

Station 1 Records

Tobi Parks – Executive Director, Founder

Tom Kutz – Director of Operations
& General Counsel

Hip Hope Inc.

Bo James

Girls Rock! Des Moines

Sara Routh

INFLUENTIAL LEADERS

Jay Byers – CEO of the Greater
Des Moines Partnership

Zachary Mannheimer

Principal Community Planner,

McClure Engineering Company

Founder, Des Moines Social Club

Former VP Creative Placemaking,

Iowa Business Growth

Drake University

Community Engaged Learning & Service

Renee Sedlacek – Director

Amanda Martin – Programs Coordinator

Nicholas Valdez – Neighborhood &

Community Relations Manager

Music Department

Dr. Eric Saylor – Professor of
Music History/Musicology

Dr. Aimee Beckmann-Collier –
Director of Choral Studies

Dr. James Romain – Professor of
Saxophone, Assistant Director of
Jazz Studies

College of Business & Public Administration

Randall J. Blum – Assistant Dean, CBPA

Tom Swartwood – Assistant Professor
of Entrepreneurship

MUSIC VENUES

Vaudeville Mews

Amedeo Rossi, Owner

Derek Lambert, Manager

Noce

Max Wellman, Owner

Lefty's Live Music

Erik Brown, Owner

DaVo Wilkins, Booking

Gas Lamp

Josh Parks, Booking

MUSICIANS

Lily DeTaeye

Glitter Density

Grand Ave Ruckus

Pets With Human Names

Phil Young

Annalibera - Anna Gebhardt

Awakening Force

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