

761—119.3(321) Eligibility requirements for a destination. This rule describes the general requirements which a destination must meet to qualify for tourist-oriented directional signing.

119.3(1) Operational requirements.

- a. The destination shall be open to the general public for a minimum of 20 hours per week.
- b. The destination shall be open to the general public at least four days per week.
- c. Hours of operation that are available to the public only by appointment, reservation, or membership shall not count toward meeting the minimum requirements set forth in this subrule.
- d. Manufacturing plants, trucking terminals, distribution centers, warehouses, production facilities, and other industrial activities for which the general public has access but for which employees and contractors are the primary users shall not qualify as destinations. However, if the facility has developed public tours and is prepared to receive unscheduled visitors, the tourist signing committee may consider this information during the application review and make an exception to the general rule as set forth above.
- e. Unless the destination is open 24 hours per day, the hours of operation shall be conspicuously posted on the destination premises.
- f. Entrance to the destination shall not be restricted based on age.
- g. The destination shall be properly licensed by all governing authorities relative to the nature of the activity engaged in by the destination.
- h. Seasonal destinations shall be in operation for a minimum of four consecutive weeks.

119.3(2) Location requirements.

- a. The destination shall be located within ten miles of the intersection on the primary highway where the tourist-oriented directional signs will be placed.
- b. The destination shall be located outside the city limits of any incorporated municipality with a population of 5,000 or more (population as established by the U.S. Census Bureau).
- c. The destination shall not be visible from the highway in a way that allows for motorists to react safely by slowing and making a turn.
- d. The building and site for the destination shall be appropriately designed and suited for the purpose. Buildings used principally as a residence shall not be used, unless there is a convenient, separate, and well-marked entrance to access the activity identified on the sign.
- e. Buildings and grounds must be maintained in a manner consistent with standards generally accepted for that type of business or activity.

119.3(3) Customer base. A destination shall derive a major portion of income or visitors from road users not residing in the area of the destination.

119.3(4) Compliance with other laws and regulations.

- a. The destination shall comply with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.
- b. The destination shall comply with Iowa Code chapter 306B; Iowa Code chapter 306C, division II; Iowa Code chapter 318; and all other statutes or administrative rules regulating outdoor advertising. [ARC 1202C, IAB 12/11/13, effective 1/15/14; ARC 6971C, IAB 4/5/23, effective 5/10/23]