



TO: Mayor Diane Marlin and City Council Members

FROM: Carol Mitten, City Administrator

DATE: September 26, 2019

SUBJECT: An Ordinance Suspending Charging and Collecting Application Fees for Special Events Permits (Ordinance No. 2019-10-055)

Background

On May 20, 2019, the City Council amended the Schedule of Fees to include Special Event application fees as follows: Special Event with street closures, \$250; Special Event without street closures, \$100. The intent of these changes was to recognize the administrative cost of processing these applications.

Preceding this amendment, but still recently, staff of the Department of Public Works determined that the former practice of waiving application fees for non-profits and other institutional groups was not authorized by Council and ended the practice.

Description

The proposed suspension of fees for Special Events that would be authorized by the attached Ordinance will allow staff time to determine which groups, if any, to propose that the Council exempt from paying Special Event application fees. The confluence of ending the unauthorized practice of waiving fees with the overall increase in fees has resulted in some problematic situations that staff requests time to resolve.

In addition to the fees being charged for Special Event applications, staff is reconsidering the whole application review process. The goal of this review is to simplify the process for applicants and minimize staff time required for review, as appropriate.

We expect to complete this work, along with a new set of fee recommendations for Special Event permits as part of the FY21 budget proposal.

Recommendation

I recommend that the City Council approve the Ordinance to suspend application fees for Special Event permits until June 30, 2020.

ORDINANCE NO. 2019-10-055

**AN ORDINANCE SUSPENDING CHARGING AND COLLECTING
APPLICATION FEES FOR SPECIAL EVENTS PERMITS**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, on September 18, 2017, the City Council adopted Ordinance No. 2017-08-049 providing for the regulation of public events (UCC Secs. 14-51 *et seq.*) (hereinafter, the “Public Events Ordinance”); and

WHEREAS, Section 14-58 (UCC Sec. 14-58(a)) of the Public Events Ordinance provides that: “The City shall collect a special event ... application permit fee in the amount provided for in the city’s published fee schedule at the time the application for a permit is received. The application fee, at the city’s discretion and depending on the nature of the event may be charged for each day the event is scheduled to take place. A sponsor of a free speech event scheduled to occur within forty-eight (48) hours from the time the event is organized to occur shall not be required to pay a permit application fee.”; and

WHEREAS, the City is contemplating amending the Public Events Ordinance based on its experience applying and enforcing the said Ordinance; and

WHEREAS, the City Council deems it appropriate to temporarily suspend until some time in the future the charging and collection of the application permit fee for special event permit applications as provided in UCC Sec. 14-58(a).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The charging and collection of a fee for processing special event permit applications, as provided in UCC Sec. 14-58(a) shall be and hereby is temporarily suspended, effective immediately upon the adoption of this Ordinance through June 30, 2020.

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor