

ORDINANCE

AN ORDINANCE granting a franchise to the Champaign-Urbana Junior Chamber of Commerce to install and maintain benches for seating of the public at bus stops and other locations, on city property, for a period of five years, with a renewal period of five years, on terms and conditions herein set forth.

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA,  
ILLINOIS:

Section 1. There is hereby granted to the Champaign-Urbana Junior Chamber of Commerce a franchise to install and maintain on city property, at bus stops and at other proper locations, benches for the seating of the general public.

Section 2. The franchise hereby granted is exclusive, and shall extend for a period of five years from the effective date hereof, with an automatic renewal for an additional period of five years, unless the Champaign-Urbana Junior Chamber of Commerce declines, in writing, to accept such renewal, by written notice to the City Clerk, mailed at least thirty days prior to the expiration of the original five year period.

Section 3. The benches herein permitted to be placed on city property shall be of good, solid construction and design, as approved by the City Engineer, which approval shall not be arbitrarily and unreasonably withheld, and which approval shall not be withheld from benches of the design and construction heretofore exhibited to this City Council by the Champaign-Urbana Junior Chamber of Commerce.

Section 4. Said benches shall be placed and located as approved by the City Engineer in the exercise of his due and reasonable discretion, taking into consideration public convenience, traffic requirements, and the pleasure or displeasure of the populace to be served thereby.

Section 5. The Champaign-Urbana Junior Chamber of Commerce shall have the right to place and maintain materials for advertising on said benches, in a neat and non-flamboyant manner, and to sell and rent advertising space on said benches to Champaign-Urbana business firms, and to receive and retain the revenues therefrom. It is contemplated that a substantial portion of such revenues shall be used for the repair and maintenance of said benches, and the extension of this bench program, but such is not a condition of this franchise.

Section 6. The Champaign-Urbana Junior Chamber of Commerce shall agree, as a condition of this franchise, to keep said benches neatly painted and in such condition of repair that they do not become a hazard to safety or detract from the appearance of the community. As a further condition of this franchise, the Champaign-Urbana Junior Chamber of Commerce shall agree to keep and maintain, during the life of the franchise, and so long as any of the benches herein mentioned are maintained on City property,

liability insurance, with the City of Urbana and the Champaign-Urbana Junior Chamber of Commerce as named insureds thereon, insuring against liability for personal injury and property damage, with not less than the following limits: Twenty Five Thousand Dollars (\$25,000) for each person injured on any one occasion, to a maximum of Fifty Thousand Dollars (\$50,000) for all persons injured on any one occasion or in any one accident, (injury to include death), and Five Thousand Dollars (\$5,000) for property damage arising out of any one accident.

Section 7. The Champaign-Urbana Junior Chamber of Commerce shall have the right, after the franchise has been in effect for eighteen (18) months, of assigning any part or all of its rights hereunder on such terms and conditions as it deems best; provided, however, that no such assignment shall relieve the Champaign-Urbana Junior Chamber of Commerce from any of its obligations hereunder; and provided, further, that any assignee hereunder shall be approved by the Mayor, and a copy of the assignment contract shall be filed with the City Clerk, whereupon the assignee shall become jointly and severally obligated with the Champaign-Urbana Junior Chamber of Commerce for the performance of the terms and conditions hereof.

Section 8. The City of Urbana reserves the right to cancel this franchise and to terminate all rights of the Champaign-Urbana Junior Chamber of Commerce and of anyone else therein, upon any substantial failure of the grantee of this franchise substantially to meet and comply with all terms and conditions herein provided, or upon cessation of city bus service. Said cancellation and termination shall not be accomplished without thirty days notice to the Champaign-Urbana Junior Chamber of Commerce, during which time said organization shall have the right to remedy the condition complained of and to affect such compliance. No such notice shall be needed where the condition complained of is such that a hazard to public safety is created, unless such hazard can be eliminated by the removal of one or more of the benches, which right to remove is reserved to the city in such case.

Section 9. Upon termination or cancellation of this franchise for any reason, the Champaign-Urbana Junior Chamber of Commerce shall have the right, at its option, to sell, remove, destroy or otherwise dispose of all benches placed on city property under the provisions of this franchise, said benches to remain property of the Champaign-Urbana Junior Chamber of Commerce, until otherwise agreed upon by the City of Urbana and the Champaign-Urbana Junior Chamber of Commerce.

Section 10. This ordinance shall become effective upon the filing with the City Clerk by the Champaign-Urbana Junior Chamber of Commerce of an acceptance of this ordinance and the terms and conditions hereof, in the following form:

"To: City of Urbana  
From: Champaign-Urbana Junior Chamber of Commerce

The Champaign-Urbana Junior Chamber of Commerce hereby accepts the franchise conferred on it by Ordinance No. \_\_\_\_\_ of the City of Urbana, Illinois, dated \_\_\_\_\_, and agrees that it will, in \_\_\_\_\_

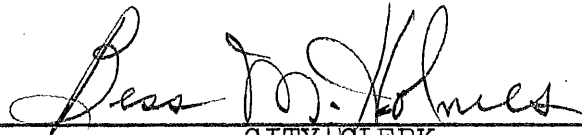
consideration for the benefits and privileges conferred on it by such franchise and ordinance, meet and fulfill all obligations imposed upon it by such franchise and ordinance.

The Champaign-Urbana Junior Chamber  
of Commerce


By \_\_\_\_\_  
President

By \_\_\_\_\_  
Secretary

Adopted by the City Council of the City of Urbana, Illinois, this 17th day of February, A.D. 1958.

  
\_\_\_\_\_  
CITY CLERK

Approved by the Mayor this 17th day of February, A.D. 1958.

  
\_\_\_\_\_  
MAYOR

ACCEPTANCE OF ORDINANCE

To: City of Urbana  
From: Champaign-Urbana Junior Chamber of Commerce

The Champaign-Urbana Junior Chamber of Commerce hereby accepts the franchise conferred on it by Ordinance No. \_\_\_\_\_ of the City of Urbana, Illinois, dated February 17, 1958, and agrees that it will, in consideration for the benefits and privileges conferred on it by such franchise and ordinance, meet and fulfill all obligations imposed upon it by such franchise and ordinance.

The Champaign-Urbana Junior Chamber  
of Commerce

By J. J. Hancock  
President

By [Signature]  
Secretary