

ORDINANCE NO. 2016-10-103

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 20, SECTION 20-615

(Advertising on or in a sidewalk café)

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, the City Council heretofore has enacted Urbana City Code Section 20-615 to establish minimum requirements for license agreements giving the consent of the City to use City right-of-way for outdoor cafés; and

WHEREAS, the City Council finds that amending said Section, as provided herein, will protect the public health, safety, and welfare.

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

Section 1.

Urbana City Code Chapter 20, "Public Right-of-Way and Other Public Places," Article VI, "Franchise and License Agreements," Section 20-615, "Consent to license agreements," subsection 12, is hereby amended and as amended shall read as follows:

Sec. 20-615. - Consent to license agreements.

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(12) No advertising shall be permitted on or in any sidewalk café except a

sandwich board portable sign. Such sign shall not be located in the traveled roadway or block pedestrian traffic and shall be moved indoors daily at the end of business hours. Such sign shall be permitted only in the B-1, B-2, B-3U, B-4, B-4E, CCD, or MOR zoning districts and shall not exceed eight (8) square feet in area and four (4) feet in height. If applicable, a scale drawing of the sign shall be included as part of the license agreement.

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Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance.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

**Section 4.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

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 7<sup>th</sup> day of November, 2016.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINS:

  
Phyllis Do Clark, City Clerk



APPROVED BY THE MAYOR this 9<sup>th</sup> day of November, 2016.

  
Laurel Lunt Prussing, Mayor



**CERTIFICATE OF PUBLICATION  
IN PAMPHLET FORM**



I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 7<sup>th</sup> day of November, 2016, the City Council of the City of Urbana passed and approved Ordinance No. 2016-10-103, entitled:


**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 20, SECTION 20-615 (ADVERTISING ON OR IN A SIDEWALK CAFÉ)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2016-10-103 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 10<sup>th</sup> day of November, 2016, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 10<sup>th</sup> day of November, 2016.



  
Phyllis D. Clark, City Clerk