

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-137

SYNOPSIS -

AGENDA:

Resolution of approval and referral to the Legal Department for appropriate changes in legislation regarding the Municipal Code section 23-46. Amendment to the Municipal Code includes additional wording:

APRIL 5, 1999

SUBJECT:

"Any neighborhood association or organization recognized by the City of Des Moines, or any association or organization which has tax exempt status under section 501(c)(3) of the United States Internal Revenue Code, or succeeding legislation, shall be exempt from the payment of fees to the City."

AMENDMENT TO
THE MUNICIPAL
CODE REGARDING
LEASES AND FEES
FOR
ENCROACHMENT
OVER PUBLIC
PROPERTY

FISCAL IMPACT -

TYPE:

N/A

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

Resolution of approval and referral to the Legal Department for appropriate changes in legislation.

SUBMITTED BY:

ERIC A. ANDERSON
CITY MANAGER

BACKGROUND -

Neighborhood associations and organizations recognized by the City and non-profit organizations provide a service to the community and work for the good of the community. Staff recommends that the City waive fees for these associations or organizations so that they are better able to promote events that are of benefit to the community.

At the September 28, 1998 Council meeting, by Roll Call No.

98-2986, Council asked staff to report on the required maintenance of street banners. Also on this agenda is a staff recommendation for a new banner policy. Staff has created a policy recommendation that requires this amendment to the Municipal Code in order to ensure that associations or organizations that desire to place banners in City owned right-of-way are not prohibited by cost.

Since this action is believed to be non-controversial, the Legal Department requests that the second and third readings be waived.