

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

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

**00-428**

**SYNOPSIS -**

**AGENDA:**

SEPTEMBER 25, 2000

**SUBJECT:**

AMENDMENT TO  
STREET USE  
ORDINANCE

At the July 24, 2000 City Council meeting, Council requested that staff review street use permit fees and the past use of the waiver provision in the current street use ordinance. After reviewing the current policy and the ordinance, it is my recommendation, as well as the recommendation of the City Clerk and the Street Use Team, that the waiver provision be removed from the ordinance effective January 1, 2001. Section 102-1131(e) would be removed from the ordinance.

**FISCAL IMPACT -**

**TYPE:**

RESOLUTION  
**ORDINANCE**  
RECEIVE/FILE

The amendment would assure that the City collects payment for street use permits, which helps cover some of the costs associated with an event's use of City equipment and personnel.

**RECOMMENDATION -**

**SUBMITTED BY:**

ERIC A. ANDERSON  
CITY MANAGER

**Approval.**

**BACKGROUND -**

At the request of the City Council, the Street Use Team was formed over a year ago to create a fair and appropriate method to allow street use events to take place in the community without placing undue financial hardship on an event's participants. Additionally, the Street Use Team did not want to cause excess burden to the taxpayers of Des Moines for an event's use of City equipment and personnel. The Street Use Team formulated the Street Use Policy and related ordinances to effect charges and fees for these events.

The Street Use Team used the ordinance from the City of Madison, Wisconsin, as a model to formulate Des Moines' policy and ordinance. Neither Madison nor any of the cities surrounding Des

Moines have a provision for the waiver of street use permit fees.

Since the new policy and ordinance have been in existence, there have been 20 major Commercial Street Use Events in our community. Council has waived all or a portion of the permit fees for four events at the request of the event organizers. Every request for a fee waiver that has come before the Council has been granted. It should be noted at the time of two waivers-the equipment fee waiver for the State Fair Parade and the Mayor's Charity Cruise-Council indicated that the waiver was to be for "this year only", and therefore, not extended for next year.

The amount of street use permit fees paid to the City for the 20 events was \$3,252. The total City costs associated with those 20 events was \$55,966. The majority of these large events require thousands of dollars in police and equipment fees. The amount charged by the street use ordinance does not appear to be excessive to the event organizers or the Street Use Team. The general feedback from event organizers has been positive. By meeting with the Street Use Team on a monthly basis, the organizers have been able to coordinate their events with all necessary City representatives present in one place.

It is my recommendation, as well as the recommendation of the City Clerk and the Street Use Team, that the ordinance be amended so that waivers of street use permit fees are prohibited. This would assure that permit fees, which help cover some of the costs for an event's use of City equipment and personnel, are collected.