



Agenda Item:

51a

COUNCIL COMMUNICATION

City Manager's Office

GENERAL INFORMATION

Agenda Date: 2/9/04
Agenda Item Type: Ordinance

Communication No.:04-068
Roll Call No.:

Submitted by: Diane Rauh, City Clerk
William McCarthy, Police Chief

SUBJECT—

Ordinance regarding Street Use Events - exemption for Farmers Markets

SYNOPSIS—

During the January 26, 2004 City Council meeting, the Downtown Community Alliance requested an exemption from the petition requirement found in Section 102-1125(c)(1) for the Farmers Market. Alternate ordinances are being presented.

- **Original Ordinance** (Item 51) - Applicants who fail to obtain the required petition with 51% approval from abutting properties may appeal to Council as outlined in Section 102-1133.
- **Alternate Ordinance** (Item 51A) - Section 102-1125(c)(4) exempts Farmers Markets from the petition requirement.

FISCAL IMPACT—

No fiscal impact for the exemption from the petition requirement. If application fees are also waived, the impact will be \$100 per application.

RECOMMENDATIONS—

1. Approval of original or alternate ordinance
2. We also recommend the Street Use application fee be waived when a Farmers Market permit is issued pursuant to Section 102-559 of the Municipal Code. Both ordinances before you contain this language in Section 102-1131(a).

BACKGROUND—

As outlined in Council Communication No. 04-028 of January 26, 2004, the major changes to the Street Use Ordinance are as follows:

1. Approval authority has been delegated to the Street Use Team, with appeals to City Council.
2. All Commercial Street Closures, Parades and Timed/Athletic Events now fall under one category - Street Use Events.
3. The \$100 application fee, miscellaneous City expenses, and Police costs over \$1,000 will be paid by the applicant.
4. Applications must be submitted 90 days (previously 30 days) in advance - late applications will be assessed a \$50 late fee.
5. More than 50% (previously 75%) of abutting businesses must sign petition for approval of "stationary" events. Other events must provide satisfactory notice to affected properties.
6. Residential Block Party process/fee has not changed - however applications received less than 30 days prior to the event will be assessed a late fee.