

SLK/08-06-85

ORDINANCE NO. 085-5416

AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE CITY OF AURORA IN RELATION TO CERTAIN  
GRANTS OF AUTHORITY AND USE PERMITS

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, in furtherance of its home rule powers, it is necessary and desirable for the City of Aurora to amend its ordinances regulating the procedures for certain grants of authority and use permits.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Kane and DuPage Counties, Illinois, as follows:

Section One: That Section 42-181 of Article VIII, entitled "Water Street Mall", of Chapter 42 of the Aurora Code of Ordinances be and is hereby amended, and Section 42-180.1 is added thereto, the added and amended Sections to read as follows:

Sec. 42-180.1. Use of mall.

Applications for use of the mall for special events shall be submitted on approved forms to the government operations

committee of the city council for its consideration and final determination.

Sec. 42-181. Unlawful for unauthorized persons to be in mall when closed.

It shall be unlawful for any unauthorized person to be in or on Water Street Mall, as described herein, when it is closed, subject only to such exceptions as shall be provided for by the government operations committee of the city council. For purposes of this section, passersby proceeding through the mall in an orderly fashion shall not be "unauthorized".

Section Two: That Section 30-17.1 of Article II, entitled "Park Regulations", of Chapter 30 of the Aurora Code of Ordinances be and is hereby amended, and Section 30-17 is added thereto, the added and amended Sections to read as follows:

Sec. 30-17.1. Open hours.

It shall be unlawful for any unauthorized person to be in or on any city park, park facility or park premises when it is closed. All city parks, park facilities and park premises shall be closed to the public from 10:00 p.m. until 6:00 a.m. daily, with the following exceptions:

\* \* \*

(d) Such other exceptions as shall be provided for by determination of the government operations committee resolution of the city council.

Sec. 30-17. Use of park pavilions.

Requests for use of park pavilions in city parks shall be submitted to the government operations committee of the city council for its consideration and final determination.

Section Three: That Sections 32-29 and 32-31 of Article III, entitled "Tag Days", of Chapter 32 of the Aurora Code of Ordinances be and are hereby amended as follows:

Sec. 32-29. Definitions Defined.

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The term "city council", as used in this Article with reference to permit applications, shall mean and specifically refer to the government operations committee of the city council, unless the context otherwise requires.

Sec. 32-31. Referral, investigation of application, determination.

All applications for tag days shall be referred to the government operations a standing committee of the city council. Said standing committee shall make or cause to be made such investigation as it deems necessary, and shall promptly determine ~~report---to---the---city---council---its recommendation--concerning~~ the grant or refusal of the application.

Section Four: That Section 27-287 of Article XIV of Chapter 27 of the Aurora Code of Ordinances and Section 42-28 of Article I of Chapter 42 thereof, be and are hereby amended as follows:

Sec. 27-287. When permits required for parades, processions.

No procession or parade . . . except in accordance with a permit issued by approval of the government operations committee of the city council after review by the chief of police. . . .

Sec. 42-28. Parades, processions, open air meetings.

(a) No parade or procession shall be allowed . . . until a permit in writing therefor shall first be obtained by approval of the government operations committee of the city council after review from the police department.

(b) Application to conduct such parade or procession or open air meeting shall be made in writing to the government operations committee chief-of-police. . .

(c) Upon such application being made, the chief of police shall investigate. . . thereof, he shall make a recommendation to the government operations committee, for its consideration and final determination whether to issue such permit to the person making application therefor, without fee or charge.

Section Five: That Section 42-19 of Article I of Chapter 42, entitled "Streets and Sidewalks", of the Aurora Code of Ordinances be and is hereby amended to read as follows:

Sec. 42-19. Obstructions, encroachments generally.

The streets and alleys in the city shall be kept free and clear of all obstructions, encumberances and encroachments, for the use of the public, and shall not be

used or occupied in any other way than as herein provided;  
except as authorized by final determination of the government  
operations committee of the city council, for street closings  
related to block parties and other special events.

Section Six: That this ordinance shall be in full force  
and effect, and shall be controlling, upon its passage,  
approval and publication as provided by law.

Section Seven: That all ordinances or parts of  
ordinances thereof in conflict herewith are hereby repealed to  
the extent of any such conflict.

Section Eight: That any Section or provision of this  
ordinance that is construed to be invalid or void shall not  
affect the remaining Sections or provisions which shall remain  
in full force and effect thereafter.

PRESENTED to the City Council of the City of Aurora,  
Illinois, on the 3 day of September, 1985.

PASSED by the City Council of the City of Aurora,  
Illinois, on the 3 day of September, 1985.

APPROVED AND SIGNED by the Mayor of the City of Aurora,  
Illinois, on the 4 day of September, 1985.

  
Mayor

ATTEST:

  
City Clerk