

AN ORDINANCE
ADOPTING AND ENACTING A NEW CODE OF ORDINANCES
OF THE CITY OF URBANA, ILLINOIS; ESTABLISHING
THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN
ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR
THE MANNER OF AMENDING SUCH CODE; AND PROVIDING
WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME
EFFECTIVE

WHEREAS, three (3) copies of the Code of Ordinances, consisting of Chapters 1 to 26, each inclusive, and containing certain ordinances of a general and permanent nature as now compiled, consolidated and codified, were filed in the Office of the City Clerk of the City of Urbana on January 11, 1980 and there kept available for public use, inspection, and examination.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Code of Ordinances, consisting of Chapters 1 to 26, each inclusive, a copy of which is attached hereto, made a part hereof, and hereby incorporated by reference, together with such exceptions, changes, modifications, corrections and amendments thereto as are subsequently made herein, is hereby adopted and enacted as the "Code of Ordinances, City of Urbana, Illinois," and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all general and permanent ordinances of the City adopted on or before January 1, 1979, to the extent provided in Sections 2 and 3 hereof.

Section 2. All provisions of such Code shall be in full force and effect from and after the 1st day of September, 1980, and all ordinances of a general and permanent nature of the City of Urbana, adopted on final passage on or before January 1, 1979, and not included in either this Ordinance or such Code or recognized and continued in force by reference either herein or therein, are hereby repealed from and after the 1st day of September, 1980.

Section 3. In addition to the ordinances specified in Section 1-6 of such Code, in which such section it is expressly provided that nothing in this ordinance or such Code shall be construed

to repeal or otherwise affect the validity of such ordinances, the following additional ordinances are also expressly saved from repeal and shall remain in full force and effect:

- A. Tax levy ordinances;
- B. Municipal sales tax and public utility tax ordinances;
- C. Ordinances establishing rules for the government of the deliberations of the city council;
- D. Ordinances adopting the comprehensive plan and all amendments thereto;
- E. Ordinances approving any plat, subdivision or planned unit development both within and without the corporate limits of the City;
- F. Ordinances establishing special service areas;
- G. An ordinance providing for the election of a city clerk pro-tem;
- H. Ordinances authorizing and approving intergovernmental and annexation agreements;
- I. Ordinances relating to elections and wards;
- J. Ordinances relating to the transfer or acceptance of real estate by or from the City;
- K. Ordinances, resolutions and schedules establishing bicycle and motor vehicle traffic control and all such schedules in the existing Urbana Local Traffic Ordinance; and
- L. All other special ordinances not in conflict with the provisions of such Code adopted hereby.

Section 4. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance; nor shall such repeal abrogate or affect any pending litigation or prosecution; nor shall such repeal affect resolutions of the City Council not in conflict with or inconsistent with the provisions of such Code; nor shall such repeal affect any ordinance adopted after January 1, 1979; and all amendments to the Urbana City Code adopted by the City Council and approved by the Mayor after January 1, 1979, shall be deemed and considered as amendments to provisions of such Code adopted hereby.

Section 5. Neither the adoption of this Code nor the repeal hereby of any ordinances of this City shall in any manner affect the prosecution for violation of ordinances, which violations

were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty at the effective date due and unpaid under such ordinance, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereof appertaining shall continue in full force and effect.

Section 6. The following sections, subsections or portions of such sections or subsections of such Code shall be, and the same are hereby changed, modified, corrected or amended to provide as follows:

A. Sec. 2-4.

At any public hearing or portion of a meeting, declared by the chairperson thereof to be for remarks from the public, held by any commission, committee or other official body of the city, any resident of the city shall have the right to appear and to speak at such hearing. In addition, any persons residing within the extraterritorial jurisdiction of the City of Urbana shall have the right to speak before any body with responsibilities which include the exercise of that extraterritorial jurisdiction during the public hearing portions thereof. However, any commission, committee or other official body, or the chairperson thereof, may formulate a set of rules setting time limits and reasonable priorities for appearances at public hearings held before the commission, committee or other official body. First priority in all cases before the plan commission shall be given to those residents living within reasonable proximity of subject property. No rules drawn by any commission, committee or other official body, or the chairperson thereof, shall deny the right of any resident of the city, in the case of bodies with responsibilities over that subject matter to appear and speak at a public hearing. Nothing in this section shall be interpreted as denying the right of any person to submit written statements to the commission, committee or other official body holding a public hearing. (Code 1975, § 1.17)

B. Sec. 2-27(1).

The City Council shall determine its own rules of proceeding, which rules must be adopted and approved by a two-thirds vote of all the members of the council, and no such rule may be repealed, annulled, amended, abridged, modified or suspended except by a two-thirds vote of all the members of the council. On all points of order not otherwise specifically provided for in such rules of proceeding, "Robert's Rules of Order", as may from time-to-time be revised, is adopted and made the law governing the deliberations of the City Council.

C. Sec. 2-99(2), page 74, line 11.

". . .certified to him/her by the commission therefor, but. . ."

D. Sec. 2-118(d), line 4.

". . .thereto, may authorize the purchase thereof under any terms and any. . ."

E. Sec. 2-136(d), line 4.

". . .municipality a tax not to exceed one-tenth of one per cent (.10%) of the. . ."

F. Sec. 3-41(6), line 3.

". . .of beer and wine only, to be consumed. . ."

G. Sec. 4-2, line 4.

". . .knowingly allowing the same to be done; or cruelly working. . ."

H. Sec. 6-27, line 2.

". . .coordinator of ESDA, authorize any purchase or contracts. . ."

I. Sec. 7-1. To be deleted from such Code.

J. Sec. 15-3.

(a) A person who knowingly hinders, delays, resists or obstructs the performance by one known to the person to be a city officer, peace officer, member of the Fire Department, or members of the Emergency Services and Disaster Agency of the City of Urbana, or known to the person to be a person legally authorized by a city officer, peace officer, member of the Fire Department, or members of the Emergency Services and Disaster Agency of the City of Urbana of any authorized act within such officer's official capacity shall be guilty of an offense.

(b) A person who shall knowingly and willfully neglects or refuses to obey any lawful order or direction of any such city officer, peace officer, member of the Fire Department, or members of the Emergency Services and Disaster Agency of the City of Urbana when such person knows the order or direction was issued by one known to such person to be a city officer, peace officer, member of the Fire Department, or members of the Emergency Services and Disaster Agency of the City of Urbana shall be guilty of an offense.

K. Sec. 19-16(b).

The chief of police shall perform all the duties and have all the powers prescribed in this Code and the laws of the state for the offices of city marshal and chief of the police department. As city marshal, the chief of police or someone appointed by him/her shall attend all meetings of the City Council and execute all orders of the Council. (Code 1975, §§ 2.42, 24.5)

L. Sec. 20-118, line 2.

". . .based on an 0.80 maintenance factor and a. . ."

Section 7. Unless another penalty is expressly provided, a violation of any provision of such Code, or any provision of any rule or regulation adopted or issued pursuant thereto, shall be punished by a fine of not more than two hundred dollars (\$200.00) and costs of prosecution, as provided in Section 1-10 of such Code.

Section 8. Any and all additions and amendments to such Code, when passed in such form as to indicate the intention of the City Council to make the same a part of such Code, shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances, City of Urbana, Illinois," shall be understood and intended to include such additions and amendments.

Section 9. In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 7 of this ordinance and Section 1-10 of such Code shall apply to the section as amended, or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 10. A copy of such Code shall be kept on file in the Office of the City Clerk preserved in looseleaf form, or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk, or someone authorized by the City Clerk, to insert in their designated places all amendments or ordinances which indicate the intention of the City Council to make the same a part of such Code, when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may from time-to-time be repealed by the City Council. This copy of such Code shall be available for all persons desiring to examine the same.

Section 11. It shall be unlawful for any person to change or amend, by additions or deletions, any part of or portion thereof, or to alter or tamper with such Code in any manner whatsoever which

will cause the law of the City of Urbana to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 7 of this ordinance.

Section 12. This ordinance, together with the Code of Ordinances consisting of Chapters 1 to 26, each inclusive, as adopted and enacted herein, shall be published in book or pamphlet form by authority of the corporate authorities as provided by law.

Section 13. This ordinance shall become effective on the 1st day of September, 1980.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of such Council on the 16th day of June 1980.

PASSED by the City Council this 16th day of June 1980.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 18th day of June, 1980.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

