



CITY COUNCIL MEMORANDUM

TO: City Council

FROM: Matthew R. Schmitz, MPA - City Manager

DATE OF MEETING: September 8, 2025

ITEM TITLE: Second Reading of an Ordinance to add Chapter 143, Closing Public Thoroughfares, to the City of Independence Code of Ordinances.

BACKGROUND:

As discussed at the July 7, 2025, City Council Work Session and proposed and reviewed during the August 4, 2025, City Council Work Session, this ordinance creates a new Code Chapter 143 – Closing Public Thoroughfares. This ordinance received its first reading and approval at the City Council meeting held on August 25, 2025.

The City of Independence has not previously had a formal, codified process for organizations or individuals to request the temporary closure of public streets for events. This has led to inconsistencies and potential liabilities. The proposed ordinance establishes a clear and regulated procedure for handling such requests, ensuring public safety and proper management of public rights-of-way.

DISCUSSION:

This ordinance, proposed as Chapter 143, introduces a permitting process for two types of events: "Street Closures" for not-for-profit organizations and "Neighborhood Block Parties."

Key provisions of the ordinance include:

- **Application Process:** A formal application must be submitted to the City Clerk at least 30 days prior to the event, including a map of the proposed closure.
- **Council Approval:** All street closure permits require City Council approval.
- **Fees & Insurance:** A nonrefundable application fee is required, along with proof of \$1,000,000 in liability insurance naming the City as an additional insured. Additional liquor liability insurance is required if alcohol will be served.
- **Neighbor Consent:** Applicants must obtain consent from at least 75% of affected properties abutting the street to be closed.
- **Safety Requirements:** The ordinance mandates the use of standard safety barricades and outlines requirements for their placement and removal.
- **Assumption of Risk:** Applicants assume all risks and liability associated with the event and must hold the City harmless.

The ordinance distinguishes between larger "Street Closures" and smaller "Neighborhood Block Parties," with slightly different requirements for each to accommodate the scale of the event.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of **supporting high-quality City services, promoting and encouraging community involvement and engagement, and efficient and effective planning**. This item helps achieve that vision by establishing a clear, safe, and fair process for community groups to hold public events, which enhances community spirit while protecting the City's interests and resources.

FINANCIAL CONSIDERATION:

The ordinance establishes a nonrefundable application fee for street closure permits, as set forth in the City's Fines and Fees Schedule. This fee will help offset the administrative costs associated with processing the permits and coordinating with City departments. Once the new supplement has been mailed to City Hall, fees will need to be paid to Simmering-Cory Iowa Codification. Additional publication costs will also be incurred.

RECOMMENDATION:

Staff recommends a motion to approve the second reading of an ordinance to add Chapter 143, Closing Public Thoroughfares, to the City Code.

Staff recommends a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed.

Staff recommends a motion to have this ordinance, which adds Chapter 143, Closing Public Thoroughfares, to the City Code, placed on its final passage for adoption pursuant to Iowa Code Section 380.3 and to authorize the Mayor to sign the Ordinance. The changes will be effective upon the ordinance summary being published in the newspaper.