

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
5/12/2020

SUBJECT:	SUBMITTED BY:
Covid-19 Response Liquor and Massage licensing provisions; Temporary Use Permit fees and amendment to rates charged for water	Enza Petrarca Village Attorney

SYNOPSIS

Ordinances have been prepared repealing Ordinance No. 5785 and amending the rates charged for water, and amending certain licensing provisions for liquor and massage establishments and temporary use permit provisions

STRATEGIC PLAN ALIGNMENT

The goals for 2019-2021 include *Exceptional Municipal Services*.

FISCAL IMPACT

The proposed changes will result in a reduction of revenue. The revenue loss is anticipated and reflected in the [Covid-19 Financial Response Plan](#).

UPDATE & RECOMMENDATION

This item was discussed at the May 5, 2020 Village Council meeting. Staff recommends approval on the May 12, 2020 active agenda.

BACKGROUND

The COVID-19 pandemic has resulted in significant economic impact, including loss of income and wages, which threatens future financial stability. It will have a significant financial impact upon the businesses in Downers Grove that will be unable to fully operate during the Stay at Home Order. These ordinances are proposed in an effort to lessen some of the financial challenges and are summarized below:

Repeal of Water Rate Increase - In December, the Village Council approved an [Ordinance](#) increasing water rates, effective July 1, 2020. The proposed Ordinance would keep the current water rates in effect, instead of increasing them in July.

Extension of Liquor Licenses - The proposed Ordinance would extend the current liquor licenses, scheduled to expire on June 30, to August 31. If approved, current liquor licenses would be valid until August 31. The 2020-21 liquor licenses would be valid from September 1, 2020 until June 30, 2021. No changes to liquor license fees are being proposed.

Extension of Massage Licenses - The proposed Ordinance would extend the current massage licenses, scheduled to expire on June 30, to August 31. If approved, current massage licenses would be valid until August 31. The 2020-21 massage licenses would be valid from September 1, 2020 until June 30, 2021. No changes to massage license fees are being proposed.

Proration of Restaurant Outdoor Cafes Temporary Use Fees - The proposed Ordinance would prorate the fees for operating restaurant outdoor cafes. Outdoor cafes may operate from March 15 to November 15, a total of 246 days. The fee for a temporary use permit for an outdoor cafe is \$98 (about \$0.40 per day). The fee for operating an outdoor cafe on Village-owned property is \$1.25 per square foot (about half a cent per day per square foot). The Ordinance would pro-rate these fees based on the date the Governor allows restaurants to operate outdoor cafes. For example, if restaurants are allowed to commence dine-in operations on July 1, this would allow for 138 days of operations and the fees charged would be 56% of the typical fees (\$55 temporary use fee and \$0.70 per square foot lease fee).

ATTACHMENTS

Ordinances

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Manager **DATE:** May 12, 2020
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- ☒ Ordinance
☐ Resolution
☐ Motion
☐ Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE REPEALING
ORDINANCE NO. 5785 AND AMENDING THE
RATES CHARGED FOR WATER", as presented.

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SUMMARY OF ITEM:

Adoption of the attached ordinance shall repeal Ordinance No. 5785 and amend the rates charged for water.

RECORD OF ACTION TAKEN:

2020-Water Rate REV

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NO. 5785
AND AMENDING THE RATES CHARGED FOR WATER**

WHEREAS, on the Downers Grove Village Council adopted Ordinance No. 5785 on December 10, 2019 entitled "AN ORDINANCE AMENDING THE RATES CHARGED FOR WATER"; and,

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Centers for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, on March 14, 2020, the Mayor of the Village of Downers Grove issued a State of Emergency for the Village of Downers Grove in response to the outbreak of COVID-19. On April 7, 2020, the Village Council of the Village of Downers Grove extended the State of Emergency to run concurrently with the Gubernatorial Disaster Proclamation;

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and financial stability;

WHEREAS, due to the economic hardships that Village residents may face with the Covid-19 outbreak, the Mayor and Village Council find it necessary and desirable to repeal Ordinance No. 5785 in its entirety; and

WHEREAS, the Mayor and Village Council hereby amend the 2020 water rate by reducing fees charged to its residents for the use of water effective July 1, 2020.

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

Section 1. That Section 25.29. is hereby amended to read as follows:**25.29. Rates and charges for metered water.**

Water will be furnished to consumers only at rates and charges determined as follows:

- (a) ~~Except as provided in Section 25-30, the~~ The charge for water furnished to consumers located within the Village limits shall be calculated on a flat rate basis as set forth in the following schedule:

2020-Water Rate REV

(1) Within Village Limits:

For bills received after July 1, 2020:

(i) Six dollars and ~~thirty-three cents~~ ten cents (~~\$6.33~~ \$6.10) for property within Village limits will be charged for the consumption of every one hundred (100) cubic feet.

(2) Outside Village Limits:

For bills received after July 1, 2020:

(i) Seven dollars and ~~twenty-six cents~~ (~~\$7.26~~ \$7.00) for property outside the Village limits will be charged for the consumption of every one hundred (100) cubic feet.

(b) In addition to the fees listed above, a bi-monthly maintenance fee shall be assessed as follows:

Water Meter Size	Bi-Monthly Fee
5/8"	\$13.72 <u>\$12.59</u>
1"	\$20.59 <u>\$18.89</u>
1 1/2"	\$68.64 <u>\$62.97</u>
2"	\$109.81 <u>\$100.74</u>
3"	\$205.91 <u>\$188.91</u>
4"	\$343.18 <u>\$314.84</u>
6"	\$686.33 <u>\$629.66</u>
10"	\$1,647.19 <u>\$1,511.18</u>

(c) The charges for water furnished to any building or portion thereof used for multiple-family residence purposes or mixed business and residential uses (except buildings having separate meters for each dwelling unit or use therein) shall be the aggregate of the applicable charges for each dwelling unit or use in such building or portion thereof served through a single meter, computed as though each such dwelling unit or use:

(1) Was a separate building connected to a separate water meter; and

(2) Consumed during such two-month billing period a quantity of water determined by dividing the total water consumption of such multiple-family or mixed use building by the number of dwelling units or uses contained in such building or portion thereof.

(d) During the month of January in each year, any purchaser of water from the Village for resale, in whole or in part, to consumers located outside the Village limits shall file with the Village Treasurer a sworn written statement setting forth the number of separate dwelling units served by such purchaser as of the date of such statement, including all separate single-family buildings and all separate dwelling units contained within buildings used for multiple-family residence purposes. The charges for water furnished to any such purchaser shall be two times the aggregate of the applicable charges for each such dwelling unit, computed as though each such dwelling unit:

(1) Was a separate single-family building connected to a separate water meter; and

(2) Consumed during such two-month billing period a quantity of water determined by dividing the total water consumption of such purchaser by the number of dwelling units set forth in the latest sworn statement on file with the Village treasurer with respect to such purchaser.

(d) The charges for water furnished to contractors acquiring water from the hydrant connection at the Public Works Facility, 5101 Walnut, Downers Grove, shall be two hundred percent (200%) of the rate listed in subsection (a)(1)(i), above.

(e) The charges for water furnished to contractors taking water from public hydrants other than at the Public Works yard shall be two hundred percent (200%) of the rate listed in subsection (a)(1)(i), above. (Ord. No. 2942, § 1; Ord. No. 3209, § 1; Ord. No. 3326, § 5; Ord. No. 3424, § 2; Ord. No. 3437, § 2)

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are

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hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk