

CITY OF MADISON
CITY ATTORNEY'S OFFICE
Room 401, CCB
266-4511

MEMORANDUM

TO: Common Council

FROM: Lara Mainella, Assistant City Attorney and OBR staff

DATE: April 6, 2020

RE: Order No. 12: Resolution authorizing the Office of Business Resources the discretion to refund banner permit fees under Madison General Ordinance Section 31.075(2)(a)

(Legistar File # 60112.)

The Mayor's Emergency Order dated March 26, 2020, item 12, states as follows:

12. The Office of Business Resources is authorized with discretion to refund banner permit fees under Madison General Ordinance Section 31.075(2)(a), to any person or organization who has not yet displayed their banner and requests to cancel their banner reservation because their event has been canceled due to COVID-19, or is canceled in the near future due to COVID-19.

BACKGROUND

The Office of Business Resources administers a banner program where organizations can display a banner promoting cultural events, charity campaigns, and neighborhood sponsored activities on two pedestrian overpasses controlled by the City. Most such community events in the near future are canceled due to COVID-19. OBR believes the cancellation of these events is causing significant revenue loss for these organizations. These organizations support some of our most vulnerable community members and could benefit from receiving a \$200 refund for a banner they will not be posting. Emergency Order Number 12 allows OBR the discretion to refund permit holders and put funds back in their organization.

WHY THIS ORDER IS NECESSARY

The planning and scheduling of banner permits began in January and is currently well underway. Since early March, events have been cancelled or postponed with no end in sight. Organizations that have already paid for and been issued their permit but no longer have events to promote. OBR stresses the importance of beginning this process now for those whose events are canceled and did not display their banner. The order provides staff discretion, and staff intends to provide a choice to organizations that have not displayed their banner yet.

ACTIONS TAKEN THUS FAR PURSUANT TO THIS ORDER

At this time, staff have created a timeline and implementation plan for refunding banner permit fees (\$200 each) to permittees whose event is cancelled. Refunding permit fees through the City is a multi-step process. On 4/6/20 staff will submit requests to refund the fee for to any person or organization who has not displayed their banner and requests to cancel their reservation because their event has been canceled due to COVID-19, or believe it will be canceled in the future due to COVID-19.

Banners already displayed will not be eligible for a refund.

FISCAL IMPACT

The estimated loss in revenue by refunding the fees for March and April of 2020 is approximately \$2,200. Refunding or not charging banner permit fees for the remainder of 2020 would result in approximately \$6,600 in lost revenue. A budget amendment is not proposed at this time.