



CITY OF URBANA COMMITTEE OF THE WHOLE RESCHEDULED MEETING

DATE: Monday, July 27, 2026
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

Chair: Stephanie Cockrell, Ward 5

A. Call to Order and Roll Call

B. Approval of Minutes of Previous Meeting

1. 06-01-2026 Rescheduled City Council Meeting Minutes

C. Additions to the Agenda

D. Presentations and Public Input

E. Staff Report

1. Urbana Housing Needs Study – Data Gathering

F. New Business

1. **Resolution No. 2026-07-043R:** A Resolution Approving an Increase in the Number of Liquor Licenses in the Class P Designation for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue, Urbana, Ill. – Exec
2. **Ordinance No. 2026-07-021:** An Ordinance Amending Chapter 15 (Miscellaneous Offenses and Provisions) of the Urbana City Code Relating to Trade in Fur Products – CM Wilken

G. Unfinished Business

1. **Ordinance No. 2024-12-042:** An Ordinance Establishing Approval, Policy, and Reporting Requirements for Policing Surveillance Technology and Databases – CM Wilken

H. Council Input and Communications

I. Adjournment

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://www.urbanail.gov/executive-department/page/urbana-public-television>.

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions, and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and the general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner. Public Input will be taken in the following ways:

Email Input

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanail.gov. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than two (2) hours, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting. The presiding officer may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or

behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanail.gov



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanail.gov

URBANA HOUSING NEEDS STUDY “DATA GATHERING” PRESENTATION BY CITY STAFF & CCRPC

Meeting: July 20, Committee of the Whole

Location: 400 S. Vine Street, Urbana, IL 61801

Discussion Highlights

- There are some limitations to the accuracy of the 2020 Decennial Census data that should be considered when interpreting the results, these issues are largely attributable to disruptions associated with the COVID-19-era data collection. As a result, the Urbana Special Census was conducted in February of 2025.
- Recent ACS data is based on the 2020 Decennial Census and does not yet fully account for the Special Census conducted in February of 2025.
- The Champaign County Regional Planning Commission (CCRPC) has used local data and non-census data sources to provide a better understanding of federal data, due to the above difficulties.

Terminology & Definitions

- **Decennial Census** – The Census Bureau's constitutionally mandated, once-every-ten-years count of every person living in the United States. It provides the official population count used for congressional apportionment, redistricting, and the allocation of federal funding.
- **American Community Survey (ACS)** – An ongoing survey, conducted by the Census Bureau, to provide data between decennial censuses. This survey is also longer than the census form and provides more detailed data. However, because it only goes to a small fraction of people every year, everything in the ACS is an estimate (as opposed to the “official count” found in the Decennial Census). Because of this, large areas receive 1-year ACS data publications every year, while smaller areas (like the City of Urbana) have ACS data published on a rolling five-year scale. So, for example, the most recent Urbana ACS data (the 2024 5-Year dataset) pulls from surveys distributed in Urbana from 2019-2024.
- **Annual Population Estimate** – Another Census dataset, which provides annual estimates of total population counts between the Decennial Census. Similarly to the ACS, this is an estimate based on survey data and Census Bureau modelling, not an official count.

- **Special Census** – A Special Census is an official population count requested by a local jurisdiction between Decennial Censuses to obtain updated population figures. Communities typically request a Special Census when they have experienced significant population changes and need more current data for purposes such as state and federal funding allocations, planning, and service delivery. The local area pays for the special census, so it may be conducted only in the most high-impact areas, rather than across the whole geography, due to the associated costs.
- **Metropolitan Planning Organization (MPO)** – The federally recognized organization in charge of regional transportation planning for a metropolitan area, with its governing board made up of representatives of local governments and transportation agencies. The Champaign Urbana Urban Area Transportation Study (CUUATS) is housed within the planning division of CCRPC and is the MPO for our area.
- **Long Range Transportation Plan (LRTP)** – The federally required document, updated every five years, where CCRPC plans for regional transportation looking 25 years into the future. Also known as a metropolitan transportation plan (MTP).
- **Traffic Analysis Zone (TAZ)** – The scale used for modeling transportation and demographic trends in the LRTP, these zones generally consist of multiple city blocks but are generally smaller than a census tract.
- **Household** – The Census Bureau defines a household as “all the people who occupy a housing unit (such as a house or apartment) as their usual place of residence.”
- **Group Quarters** – “The Census Bureau classifies all people not living in housing units as living in group quarters. A group quarters is a place where people live or stay, in a group living arrangement, that is owned or managed by an entity or organization providing housing and/or services for the residents...Group quarters include such places as college residence halls, residential treatment centers, skilled nursing facilities, group homes, military barracks, correctional facilities, and workers' dormitories.”



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 400 S. Vine Street, Urbana, IL 61801
www.UrbanaIL.gov

MEMORANDUM FROM THE OFFICE OF THE MAYOR TO THE URBANA CITY COUNCIL

Meeting: July 20, 2026, Committee of the Whole Meeting
Subject: Increasing the Number of Class P Liquor Licenses for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue

Summary

Action Requested

City Council is asked to approve the attached resolution that would increase the number of Class P liquor licenses in the City of Urbana.

Brief Background

Shaun & Singh Inc. d/b/a Beverage Genie has applied for a Class P (Package) liquor license for their establishment located at 1506 North Cunningham Avenue.

Relationship to City Services and Priorities

Impact on Core Services N/A

Strategic Goals & Plans N/A

Previous Council Actions

In all instances, City staff first reviews the liquor license application. If it receives the Mayor's endorsement, it is then forwarded to the City Council for their final approval to grant the license.

Discussion

Additional Background Information

A Class P license permits the licensee to sell at retail any and all alcoholic liquor in original package form for consumption off premises only.

It is prohibited to sell, serve, or allow others to sell or serve alcoholic beverages in Urbana without the appropriate license or if the sale or service does not adhere to the requirements of the specific license class and its conditions.

Anyone responsible for a liquor-licensed premises must quickly report any disturbances, violence, or issues on the property to the police. License holders must also keep their premises, surrounding areas, and nearby spaces clean and free of litter. The Local Liquor Commissioner can issue a

notice to address litter, and if it is not fixed within 24 hours, the license could be revoked, or other legal action may be taken.

Recommendation

City Council is asked to approve the Class P liquor license for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue.

Next Steps

If the attached resolution is approved, the Deputy Local Liquor Commissioner will prepare and issue a Class P liquor license for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue, with an expiration date of June 30, 2026.

Attachments

A Resolution Approving an Increase in the Number of Liquor License in the Class P Designation for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue, Urbana, Ill.

Originated by: Kate Levy, Executive Coordinator/Deputy Local Liquor Commissioner

Reviewed: Darius L. White, City Administrator

Approved: DeShawn B. Williams, Mayor/Local Liquor Commissioner

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN INCREASE IN THE NUMBER OF LIQUOR
LICENSES IN THE CLASS P DESIGNATION FOR
SHAUN & SINGH INC., D/B/A BEVERAGE GENIE, 1506 NORTH CUNNINGHAM
AVENUE, URBANA, ILL.**

WHEREAS, the City Council has adopted Urbana City Code Section 3-42 to establish limits on the number of liquor licenses issued in the City; and

WHEREAS, Section 3-42(c) of the Urbana City Code provides that a majority of the corporate authorities then elected to office have to approve the creation of a new license; and

WHEREAS, an application for a liquor license in the Class P designation has been submitted to the Local Liquor Commissioner; and

WHEREAS, the City Council finds that the best interests of the City are served by increasing the number of liquor licenses in the Class P designation by one for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue, Urbana, Ill.

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Urbana, Illinois, as follows:

The maximum number of liquor licenses in the Class P designation is hereby increased by one for Shaun & Singh Inc. d/b/a Beverage Genie, 1506 North Cunningham Avenue, Urbana, Ill. The schedule of maximum number of authorized licenses for the respective classification maintained by the Local Commissioner shall reflect such increase.

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, _____.

DeShawn B. Williams, Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15 (MISCELLANEOUS OFFENSES AND PROVISIONS) OF THE URBANA CITY CODE RELATING TO TRADE IN FUR PRODUCTS

WHEREAS, the City of Urbana is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City Council recognizes that animals are sentient beings and finds that their treatment is a matter of public concern; and

WHEREAS, the commercial fur industry relies upon the intensive confinement and killing of animals for nonessential consumer products, practices that have been the subject of longstanding animal welfare concerns; and

WHEREAS, outbreaks of COVID-19 and other infectious diseases on fur farms have demonstrated the potential public health risks associated with the intensive confinement of animals; and

WHEREAS, the production and processing of animal fur products have significant environmental impacts, including air and water pollution, the generation of agricultural waste, and the use of hazardous chemicals; and

WHEREAS, runoff and waste associated with fur farming contribute pollutants to waterways and may adversely affect water quality; and

WHEREAS, humane and widely available alternatives to animal fur products exist; and

WHEREAS, the City Council finds that prohibiting the sale of animal fur products within the City of Urbana advances the public health, safety, and welfare of the community while reducing support for practices that raise animal welfare, public health, and environmental concerns.

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

Section 1. That the Code of Ordinances, City of Urbana, Illinois, is hereby amended by adding a section, to be numbered 15-7, which said section reads as follows:

Section 15-7. Trade in Fur Products

(a) To protect the health and welfare of the inhabitants of this city, this section will restrict trade in fur products. Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in the City of Urbana. In addition, the fur production process is energy intensive and has a significant environmental impact, including air and water pollution, and animals that are slaughtered for their fur endure tremendous suffering. Eliminating the sale of fur products in the City of Urbana will decrease the demand for these cruel and environmentally harmful products and promote

community health and wellbeing as well as animal welfare, and, in turn, will foster a more humane environment in the city and enhance the reputation of the city.

(b) As used in this section, the following words and phrases shall have the following meanings ascribed to them:

Fur shall mean any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

Fur product shall mean any article of clothing or covering for any part of the body, or any fashion accessory, including but not limited to handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:

(1) An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;

(2) Fur, wool, or other fibers sourced exclusively from any member of the family Bovidae, Camelidae, Equidae, Suidae, or Cervidae; or

(3) The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

Person shall mean any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

Taxidermy shall mean the practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.

Ultimate consumer shall mean an individual who buys a fur product for their own use, or for the use of another, but not for resale or trade.

Used fur product shall mean a fur product that has been worn or used by an ultimate consumer.

(c) Notwithstanding any other provision of law, no person shall sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the City of Urbana. For purposes of this section, the sale of a fur product shall be deemed to occur in the City of Urbana if:

(1) The buyer takes physical possession of the fur product in the city; or (2) The seller is located in the city.

(d) This section shall not apply to the sale, offer for sale, display for sale, trade, or distribution of:

- (1) A used fur product;
 - (2) A fur product required for use in the practice of a religion;
 - (3) A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized or state recognized Native American tribe; or
 - (4) A fur product where the activity is expressly authorized by federal or state law.
- (e) Whoever violates this section shall be punished by a fine of \$300. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

Section 2. Should any paragraph, sentence, clause, phrase or word of this section be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences or paragraphs of this section, since the same would have been enacted by the city council without the incorporation in this section of any such invalid or unconstitutional word, phrase, clause, sentence or paragraph.

Section 3. This section shall become effective six months after passage.

MEMORANDUM TO THE URBANA, IL COMMITTEE OF THE WHOLE & CITY COUNCIL

Meeting: May 19, 2025 Committee of the Whole

Subject: Ordinance No. 2024-12-042: An Ordinance Establishing Approval, Policy, and Reporting Requirements for Surveillance Technology and databases

Sponsors: Council Members Grace Wilken & Jaya Kolisetty

Summary

Action requested

City Council is asked to approve the attached Ordinance, which requires and clarifies the process for procurement and use of policing technology and databases that can be used to monitor, track, and identify specific individuals or groups. This Ordinance codifies the public approval process for specific surveillance technologies or databases; it does not dictate the use of any given technology (that would be voted on by Council).

Overall, the Ordinance establishes the Council approval and public input process for new and existing policing technologies and databases. The attached definitions clarify the relevant types of technology and databases, the Use Report, Use Policy, and Policing Technology Annual Report.

Brief Background & Previous Action

City of Urbana adopted the Ten Shared Principles on June 22, 2020 in Resolution No. 2020-06-031R which states “We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status;” provides support to “build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles” and advocates for “the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality”

City of Urbana reaffirmed its commitment as a sanctuary city in Resolution No. 2016-12-070R, stating that “the City Council and the Mayor will join with councils and mayors from other communities around the country to stand with our immigrant residents and defend policies that welcome and protect immigrants...” and that “no city employee or official or department or agency of the City of Urbana shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such inquiry or the investigation is required by a court order...”

The City of Urbana commissioned the completion of a review of UPD and UFD policies and staffing requirements by Berry Dunn consultants. The report on the first phase of the study included community stakeholder meetings, professional stakeholder meetings, community interest group and individual meetings, and an online survey, all of which included responses from community members showing “a desire for more active transparency” (page 58). The report noted transparency as one of the four pillars of procedural justice and is included in the six pillars of 21st Century Policing, and that not providing transparency through community input “can foster mistrust and damage relationships” (page 159).

In, September of 2021, the Urbana City Council was asked to approve a budget amendment, allowing the City to move funds in order to purchase automatic license plate readers. After much discussion and public input, including Town Hall Meetings, the budget amendment failed, with a 4 to 3 vote, in November of 2021. This instance highlighted the fact that there was no procurement policy for police surveillance technology.

During the budget discussions in June of 2023, Council Members Wilken and Evans proposed additional language to the budget ordinance that clarified the intended use of approved funds and required Council approval and due public process for the purchase of certain surveillance technologies. That proposed language failed, with a 5 to 2 vote. There was feedback from Council members on how to improve the language, and comments that they would entertain a discussion about surveillance policy in the future.

In response to the proposed budget language, on the June 26, 2023 City Council meeting, Mayor Marlin stated that, “The city of Urbana will not authorize or purchase Automated License Plate Reader (ALPR) technology, without explicit majority approval from the Urbana City Council. While the prior debate and vote on ALPRs centered on a budget amendment to purchase ALPRs, rather than a general policy statement, the council discussion and 4-3 vote defeating the amendment, made the position of the majority of council very clear.”

The attached Ordinance is a product inspired from years of discussion and thought in the Urbana community. The Ordinance is intended to simply codify the understanding by which the City has been operating for years, and define mechanisms public reporting. It has undergone some preliminary reviews, and continued feedback and collaboration is welcomed.

Financial Impact

There is no expected direct financial impact of this Ordinance.

Additional Information & Resources

Model Legislation from the Policing Project, New York University School of Law (this is similar to the originally proposed Ordinance):

<https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5df2acb192c2512f27a73c12/1576185009882/ADAPT+Act.pdf>

General resources on legislation for policing technology from the Policing Project:

<https://www.policingproject.org/policing-technology-model-statutes-and-legislative-resources>

Ordinance on surveillance technology from Boston, MA (these definitions were used for the updated Ordinance):

<https://www.boston.gov/sites/default/files/file/2021/09/Docket%20%230397%20%282%29.pdf>

Boston Police Department 2023 Annual Surveillance Technology Report:

https://www.boston.gov/sites/default/files/file/2024/07/2023%20City%20of%20Boston%20Annual%20Surveillance%20Reports_0.pdf

Oakland, CA Ordinance to amend the City Code regarding police surveillance:

<https://cao-94612.s3.us-west-2.amazonaws.com/documents/OMC-9.64-January-2021-005.pdf>

Oakland, CA Privacy Commission – other resources and ordinances:

<https://www.oaklandca.gov/documents/privacy-advisory-board-ordinances-and-resolution>

ACLU Community Control Over Police Surveillance (this is the same group that created the guiding principles that were attached in the packet for the December 16, 2024 Committee of the Whole meeting):

<https://www.aclu.org/community-control-over-police-surveillance#:~:text=The%20proliferation%20in%20local%20police,color%20and%20low%20income%20communities.>

Research on data privacy and communities of color, from the Brookings Institution:

<https://www.brookings.edu/articles/police-surveillance-and-facial-recognition-why-data-privacy-is-an-imperative-for-communities-of-color/>

ACLU article on the use of ALPR data by ICE (US Immigration and Customs Enforcement) to target people who have immigrated to the US, including in Illinois and in “sanctuary cities”:

<https://www.aclu.org/news/immigrants-rights/documents-reveal-ice-using-driver-location-data>

Forbes article on lawsuits over license plate readers:

<https://www.forbes.com/sites/larsdaniel/2024/10/22/warrantless-surveillance-federal-lawsuit-challenges-flock-safety-cameras/>

ACLU model legislation: <https://www.aclu.org/documents/community-control-over-police-surveillance-model-bill>

Attachments

1. Ordinance No. 2024-12-042: An Ordinance Establishing Approval, Policy, and Reporting Requirements for Surveillance Technology and Databases (version 6)
2. Attachment A, Definitions (Ordinance No. 2024-12-042)

Ordinance No. 2024-12-042

AN ORDINANCE ESTABLISHING APPROVAL, POLICY, AND REPORTING REQUIREMENTS FOR SURVEILLANCE TECHNOLOGY

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City of Urbana reaffirmed its commitment as a sanctuary city in Resolution No. 2016-12-070R, stating that “the City Council and the Mayor will join with councils and mayors from other communities around the country to stand with our immigrant residents and defend policies that welcome and protect immigrants...” and that “no city employee or official or department or agency of the City of Urbana shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such inquiry or the investigation is required by a court order...”; and

WHEREAS, the City of Urbana adopted the Ten Shared Principles on June 22, 2020 in Resolution No. 2020-06-031R which states “We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status;” provides support to “build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles” and advocates for “the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality”; and

WHEREAS, it is the Urbana City Council (“Council” or “City Council”) and City's responsibility to legislate matters of public safety and accountability to the public, and any use or expense of surveillance technology require due public process and approval from City Council; and

WHEREAS, the Urbana City Council finds that no decision relating to surveillance technology should be made without collaborative community input and consideration of the impact such technologies may have on civil rights and civil liberties, including those rights guaranteed by Article I of the Illinois Constitution and the First, Fourth, and Fourteenth Amendments to the United States Constitution; and

WHEREAS, the use of surveillance technologies are known to have had a significant, detrimental impact on civil rights and civil liberties, namely the invasion of an individual's privacy and infringing on their right to be left alone, including those guaranteed by the First, Fourth and Fourteenth Amendments to the United States Constitution, and thus it is incumbent on the police seeking to fund, acquire, or use a surveillance technology to expressly identify the potential adverse impacts the technology may have on civil rights and civil liberties and what specific measures it will undertake to prevent such adverse impacts; and

WHEREAS, surveillance technologies can create oppressive, stigmatizing environments when used indiscriminately, continuously, or pervasively, especially for communities that have historically been disproportionately targeted by their use, such as communities of color, low-income communities, and politically active communities; and

WHEREAS, the urgency to publicly process the acquisition of surveillance technologies is necessitated by new concerns whether surveillance technologies will be used to apprehend people from out-of-state seeking abortions and other reproductive healthcare in Illinois; people without legal immigration status who seek asylum and would be sought for deportation; peaceful individuals or organizations exercising their rights, including expressing grievances against the government; and people whose race, national origin, ethnic identity, gender identity, sexual orientation, or other protected demographics place them under potential for additional surveillance; and

WHEREAS, the need for a public process to acquire surveillance technologies is further required because of the likelihood that federal law enforcement agencies will access any data stored by surveillance technologies; and

WHEREAS, as of the passing of this ordinance, there is no current city policy on the use and acquisition of police surveillance technology, and it is therefore necessary to clarify the Council's position on the required processes of public accountability;

NOW THEREFORE BE IT ORDAINED by the City Council, of the City of Urbana, Illinois, as follows:

Section 1. Purpose:

The purpose of this ordinance is to provide transparency, oversight, and accountability regarding the acquisition and use of surveillance technology and the data it collects by the City of Urbana police department, and to protect privacy, civil rights, and racial and immigrant justice.

Section 2. Approval Process for Surveillance Technology Acquisition or Use

(a) When the Police Department seeks to acquire or use new surveillance technology or change an existing Use Policy, it shall, prior to such acquisition or use obtain approval by majority vote of the Urbana City Council prior to purchasing, acquiring, or using any new surveillance technology (as defined in Attachment A of this Ordinance), which includes adding data from a new source or new analytic tools in a manner which changes the functionality of the existing data collected by the surveillance technology.

(b) At least thirty (30) days prior to seeking approval of a surveillance technology, the City shall submit to the City Council and make publicly available a written and unredacted surveillance technology “Use Report,” along with a draft of the proposed surveillance technology “Use Policy” (*as defined in Attachment A of this Ordinance*). During this time, the public will have the opportunity to provide input to the City Council.

(c) Once approved or denied by the City Council, surveillance technology may be reconsidered under the following circumstances and procedures:

(1) Twelve (12) months or more after its most recent vote to approve or reconsider the technology;

(2) At any time, due to a demonstrable material change in circumstances that may affect the City Council’s intent in previously approving or denying the use of a particular technology, including but not limited to the following:

a. evidence showing that the approved use of a technology has led to an outcome indicating a discriminatory impact or some other infringement of individual rights;

b. a change in the law that changes or materially impacts the previously approved or denied use of such technology;

c. the revelation of a previously unknown capability, functionality, or application of the approved technology that is inconsistent with the City Council’s previous intent in approving or denying the technology; or

(3) A request to reconsider a previously approved or denied surveillance technology may be placed on a Committee of the Whole agenda by the Mayor or by council members consistent with City Council rules in effect at the time of the request.

(4) Once a request for reconsideration is placed on a Committee of the Whole agenda, the City Council must then vote on whether to proceed with formal reconsideration of the technology.

(5) Approval of reconsideration under paragraph (c)(1) of this section shall be by a simple council majority. Approval of reconsideration under paragraph (c)(2) of this section shall be by a 2/3 vote of the corporate authorities.

(6) If a request for reconsideration is approved by the City Council, the party requesting reconsideration will present to the City Council the material basis for the reconsideration, if applicable, and any proposed Council action, at a future Committee of the Whole meeting.

Section 3. Standard for Approval of Surveillance Technology

a) When evaluating a request for the use of surveillance technology, the City Council may consider a range of factors, including but not limited to:

- i) The potential public safety benefits and effectiveness of the technology.
- ii) The economic, social, and community costs associated with its implementation and use.
- iii) Any potential impacts on civil liberties and civil rights, including privacy concerns.
- iv) The possibility of disparate impacts on specific communities or groups.
- v) Safeguards or oversight mechanisms that could mitigate risks or unintended consequences.
- vi) Alternative methods or technologies that could achieve similar outcomes with fewer negative effects.

Section 4. Reporting and Approval of Existing Surveillance Technologies

(a) For all existing or hereinafter approved surveillance technology in use, a “Surveillance Technology Annual Report” will be publicly available and presented to City Council each year, which includes a current copy of the “Use Policy” for each technology and other information included in the definitions in Attachment A.

(b) For all surveillance technology referenced here that are already in use at the time this Ordinance is approved:

- (i) The City shall present to City Council a “Use Report” and “Use Policy” for each technology in use, within one hundred twenty (120) days of the passing of this Ordinance, unless otherwise extended with approval by majority vote from City Council. No more than two (2) extensions shall be granted for any individual technology or database in use.

(ii) The existing surveillance technologies shall require a formal approval process (as outlined in Section 2 and 3 of this Ordinance) as soon as the information on each technology is made available.

(iii) If the Council has not approved the continuing use of the surveillance technology, including the Use Report and the Use Policy, within one hundred eighty (180) days of its submission to the Council, unless otherwise extended, the City Department shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as Council approval by majority vote is obtained in accordance with this Ordinance.

(iv) During the period that continued use is not yet approved, the technology or database contract shall not be renewed or extended even if the result would be the termination of availability of the use before one hundred eighty (180) days.

Section 5. Contractual Agreements Involving Surveillance Technology

(a) Except where otherwise allowed under this Ordinance all contracts or agreements for the acquisition or use of surveillance technology, regardless of duration or cost, shall require formal approval by a majority vote of the City Council prior to execution.

(b) Prior to approval, City Departments, through the Mayor's Office, shall provide all members of City Council with a complete copy of any and all contract(s) or other agreement(s) for the purchase, acquisition, or use of any new surveillance technology. Consistent with its obligations under the Illinois Freedom of Information Act (FOIA) and current practice, the City shall not enter into a nondisclosure agreement or contractual confidentiality provision with any surveillance technology vendor or third party provider that limits or purports to limit the disclosure of records or information subject to FOIA..

(c) The City shall not enter into any contract or other agreement that facilitates the sharing of surveillance data in the City's possession with any non-governmental entity or third party in exchange for money or other consideration, whether or not such surveillance data was generated by or is owned by the City. Any such contracts or agreements signed prior to the enactment of this ordinance that are inconsistent with this section shall be terminated as soon as is permissible under the terms of the agreement.

Section 6. Disaster Circumstances

(a) Notwithstanding the provisions of this ordinance, the Urbana Police Department may temporarily acquire or temporarily use surveillance technology in disaster circumstances for a period not to exceed thirty (30) days, with approval from the Mayor or their designee, without following the provisions of approval stated in this ordinance before that acquisition or use. No more than two (2) consecutive periods of disaster circumstantial use shall be granted for any individual technology or database.

(b) If the Urbana Police Department acquires or uses surveillance technology in disaster circumstances under this section, the Department must:

(i) Report that acquisition or use to the City Council in writing within thirty (30) days following the end of those disaster circumstances and the use of the surveillance technology.

(ii) Submit a Use Report and, if necessary, a technology-specific Use Policy to the City Council regarding that Surveillance Technology within thirty (30) days following the end of those disaster circumstances.

(iii) Include that surveillance technology in the next Surveillance Technology Annual Report to the City Council following the end of those disaster circumstances.

(iv) If the City Department is unable to meet the 30-day timeline to submit a surveillance technology Use Report and, if necessary, a technology-specific Use Policy to the City Council, the City Department must notify the City Council in writing requesting to extend this period. The City Council may grant extensions in 30-day increments beyond the original 30-day timeline to submit a surveillance technology Use Report, and, if necessary, a technology-specific Use Policy.

(v) Any surveillance technology Use Report, and, if necessary, any technology-specific Use Policy submitted to the City Council under this subsection shall be made publicly available on the City's website upon submission to the City Council.

(vi) Any Surveillance Technology Use Report and, if necessary, technology-specific Use Policy submitted to the City Council under this section may be redacted to the extent required to comply with an order by a court of competent jurisdiction, or to exclude information that, in the reasonable discretion of the Urbana Police Department or other City Department, would, if disclosed, materially jeopardize an

ongoing investigation or otherwise represent a significant risk to public safety and security; provided, however, that any information redacted pursuant to this paragraph will be released in the next Surveillance Technology Annual Report following the point at which the reason for such redaction no longer exists.

(c) Departments using approved surveillance technologies or other technologies with unutilized and unapproved surveillance capabilities may apply a technical patch or upgrade that is necessary to maintain essential operations or to mitigate cyber security threats to the City. The department shall not use any unapproved new surveillance capabilities of the technology until the requirements of this ordinance are met or unless the Mayor or the Mayor's designee determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade.

Section 7. Destruction of Improperly Collected Data

(a) Prohibition on Use or Disclosure

Any data collected through the use of surveillance technology in violation of this ordinance, and any data or information derived from such data, shall not:

1. Be knowingly used or introduced as evidence by any City department, agency, employee, or official in any criminal, civil, or administrative proceeding against any member of the public, except in a proceeding alleging a violation of this ordinance; or
2. Be knowingly disclosed or provided by any City department, agency, employee, or official to any other person or entity for the purpose of investigation, enforcement, or evidentiary use.

(b) Preservation Pending Review

Upon discovery that data may have been created or collected in violation of this ordinance, the City department possessing the data shall:

1. Segregate and preserve the data pending review; and
2. Promptly notify the appropriate prosecuting authority if the data relates to a known or reasonably foreseeable criminal investigation or prosecution.

(c) Review for Evidentiary and Discovery Obligations

Before any deletion or destruction of data subject to this section:

1. The appropriate prosecuting authority shall be given a reasonable opportunity to determine whether the data must be preserved to comply with constitutional, statutory, or court-imposed disclosure obligations, including obligations recognized under *Brady v. Maryland* and applicable Illinois discovery rules.

2. If the prosecuting authority determines that the data may be material to the defense in a criminal case, a copy of the potentially material data shall be disclosed to the defendant in accordance with applicable law before any deletion or destruction.

(d) Deletion and Destruction

After completion of the review described above, and once the City determines that retention is not required by law, court order, evidentiary obligations, or pending litigation, the data and any derivatives shall be permanently deleted or destroyed as soon as possible under applicable records retention requirements.

(e) Documentation

The City department or agency responsible for the surveillance technology shall document:

1. The determination that the data was collected in violation of this ordinance;
2. Any review conducted under subsection (c); and
3. The date and method of deletion or destruction.

Such documentation shall be retained in accordance with applicable records retention laws.

Section 8. Surveillance Technology Reporting Oversight and Policy Review

- (a) The Civilian Police Review Board (CPRB) shall review each Surveillance Technology Annual Report, Use Report, and Use Policy of surveillance technology or database subject to this ordinance, with a final vote on the recommendation by CBRP before moving to the Urbana City Council Committee of the Whole. If the CPRB is not able to review the reports and policies in a reasonable time-frame due to logistical factors, the City Department will present the reason for lack of CPRB review to council.
- (b) The CPRB and the Human Rights Commission (HRC) may hear complaints within their existing authority under the City Code that involve the use of surveillance technology or databases.
- (c) Upon request by the CPRB or HRC, City Departments shall provide records relevant to a complaint properly before that body that involves the use of surveillance technology or databases.
- (d) The City Council and CPRB, in its review of Surveillance Technology Annual Reports and Use Reports, may request and shall be entitled to receive and review records related to the use of such technology by City Departments.

Section 9. Incorporation of State Law; Conflict

The Protecting Household Privacy Act, 5 Illinois Compiled Statutes 855/1 et seq., the Freedom from Drone Surveillance Act, 725 Illinois Compiled Statutes 167/1 et seq., and the Freedom from Location Surveillance Act, 725 Illinois Compiled Statutes 168/1 et seq., are incorporated herein by reference as part of this article. In the case of a conflict between a provision of state law and a provision of this article, the more stringent provision shall control.

Section 10. Definitions

The list of relevant definitions is included in Attachment A as part of this Ordinance.

[The final version will be formatted for city code]

PASSED BY THE CITY COUNCIL this ____ day of _____, 2026.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sanderfur, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2026.

Diane Wolfe Marlin, Mayor

ATTACHMENT A
(Ordinance No. 2024-12-042)

Definitions:

- 1) *Disaster Circumstances* mean occurrences that are determined by the Mayor or their designee to meet the definition of a “disaster” under the Illinois Emergency Management Agency Act (220 ILCS 3305/1 et seq), meaning “an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, technological, or human cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, cyber incidents, or acts of domestic terrorism.” The use of surveillance technology in disaster circumstances shall not infringe upon an individual’s right to peacefully protest or exercise other lawful and protected constitutional rights.
- 2) *Surveillance* means the act of observing or analyzing the movements, behavior, or actions of identifiable individuals.
- 4) *Surveillance Technology* means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance monitoring device, hardware, or software.
 - a) Examples of Surveillance Technology include, but are not limited to:
 1. International mobile subscriber identity (IMSI) catchers and other cell-site simulators;
 2. Automatic license plate readers;
 3. Closed-circuit television cameras except as otherwise provided herein;
 4. Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;
 5. Gunshot detection and location hardware and services;
 6. GPS tracking systems that monitor an individual’s location without authorization;
 7. X-ray vans;
 8. Video and audio monitoring and/or recording technology that can be remotely accessed, including privately owned devices such as doorbell or private security cameras;

9. Surveillance enabled or capable light bulbs or light fixtures;
10. Tools, including software and hardware, used to gain unauthorized access to a mobile device, computer, computer service, or computer network;
11. Social media monitoring software;
12. Through-the-wall radar or similar imaging technology;
13. Passive scanners of radio networks;
14. Long-range Bluetooth and other wireless-scanning devices;
15. Thermal imaging or “forward-looking infrared” devices or cameras;
16. Electronic database systems containing or analyzing surveillance data about identifiable individuals;
17. Radio-frequency identification (RFID) scanners; and
18. Use of aerial drones by or on behalf of the City within City limits, in addition to compliance with the Illinois Freedom from Drone Surveillance Act
19. Software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software.

b) Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:

1. Routine office hardware, such as televisions, computers, and printers, that are in widespread public use and will not be used for any surveillance or surveillance- related functions;
2. Parking ticket devices (PTDs) and related databases;
3. Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is used for manually capturing and manually downloading video and/or audio recordings;
4. Cameras installed in or on a police vehicle;
5. Body-worn cameras as required by the Illinois Law Enforcement-Worn Body Camera Act, 50 ILCS 706/10-1 *et seq.*, as amended;
6. Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations or traffic patterns, provided that the Surveillance Data gathered is used only for that purpose;
7. Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles;
8. City databases that do not and will not contain any Surveillance Data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology;

9. Manually-operated technological devices that are used primarily for internal City communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems;
10. Card readers and key fobs used by City employees and other authorized persons for access to City-owned or controlled buildings and property;
11. Cameras installed on City property solely for security purposes, including closed-circuit television cameras installed by the City to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose of controlling access, maintaining the safety of City employees and visitors to City buildings, and protecting City property;
12. Security cameras including closed-circuit television cameras installed by the City to monitor cashiers' windows and other cash-handling operations on City property and to maintain the safety of City employees and visitors to such areas;
13. Technology that monitors only City employees in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources.
14. Personal communication devices that have not been modified beyond stock manufacturer capabilities in a manner described above, provided that any bundled Face Recognition Technology is only used for the sole purpose of user authentication in the regular course of conducting City business.

(c) "Use Report" shall mean a publicly released, legally enforceable written report that includes, at a minimum, the following:

- (i) Information describing the surveillance technology and how it works.
- (ii) Information on the proposed purpose(s) of the surveillance technology.
- (iii) If the surveillance technology will not be uniformly deployed throughout the city, what factors will be used to determine where the technology will be deployed or targeted, and the location(s) where it may be deployed and crime statistics for such location(s).
- (iv) The fiscal impact of the surveillance technology, including initial purchase and other known ongoing costs, including impact on personnel time, along with any current or potential sources of funding.
- (v) An assessment of whether use of the surveillance technology will have an unwarranted disparate impact on protected classes and demographics, as defined in the Illinois Civil Rights Act of 2003, the Urbana Human Rights Ordinance, and other relevant laws and policies.

(vi) An assessment identifying any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights, and what specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts.

(vii) Whether use or maintenance of the surveillance technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.

(d) “Use Policy” shall mean a publicly released, legally enforceable written policy governing the use of the surveillance technology that, at a minimum, includes and addresses the following:

(i) Purpose: What specific purpose(s) the surveillance technology is intended to advance.

(ii) Description of the authorization for use of the surveillance technology: specifically, what legal and procedural rules will govern each authorized use; what potential uses of the surveillance technology will be expressly prohibited such as the warrantless surveillance of public events and gatherings; and how and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the police technology be analyzed and reviewed.

(iii) Description of data collection, protection, and retention: specifically, what types of surveillance data will be collected, captured, recorded, intercepted, or retained by the police technology; what safeguards will be used to protect surveillance data from unauthorized access; for what maximum limited time period the surveillance data will be retained; and by what process the surveillance data will be regularly deleted after the retention period.

(iv) Description of data sharing: specifically, which governmental agencies, departments, bureaus, divisions, or units will be approved for data sharing; how such sharing is necessary for the stated purpose and use of the surveillance technology; and what mechanisms will ensure any entity sharing access to the surveillance technology or surveillance data complies with the applicable surveillance use requirements within the Urbana “Use Policy” and does not further disclose the surveillance data to unauthorized persons and entities.

(v) Training: The training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.

(vi) Auditing and Oversight: The mechanisms to ensure that the surveillance use policy is followed, including internal personnel assigned to ensure compliance with the surveillance use policy, internal record keeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.

(e) “Surveillance Technology Annual Report” shall mean a written report covering each surveillance technology in use over the past year that is publicly released at least once per year and shall, at a minimum, include the following:

- (i) A summary of how each surveillance technology was used, including locations and neighborhoods where technology or equipment was deployed, and information that may assist the City Council to assess whether the surveillance technology has been effective at achieving its identified purposes.
- (ii) Total annual costs for each surveillance technology and database, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (iii) How often and what type of collected surveillance data was shared with and received from any external persons or entities; under what legal standard(s) the information was disclosed; and the justification for the disclosure(s).
- (iv) A summary of complaints or concerns that were received about each surveillance technology.
- (v) The results of any internal audits, any information about violations of the Use Policy, and any actions taken in response to complaints or concerns.
- (vi) Justification for the continued use of each surveillance technology.

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EXISTING**Section 1. Purpose**

The purpose of this ordinance is to provide transparency, oversight, and accountability regarding the acquisition and use of surveillance technology and the data it collects by the City of Urbana police department, and to protect privacy, civil rights, and racial and immigrant justice.

PROPOSED**Section 1. Purpose**

The purpose of this ordinance is to provide transparency, oversight, and accountability regarding the acquisition and use of surveillance technology and the data it collects by the City of Urbana police department, and to protect privacy, civil rights, and racial and immigrant justice.

Nothing in this ordinance is intended to restrict or delay lawful, real-time law enforcement decision-making in situations involving public safety, emergency response, or active investigations.

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EXISTING

Section 2. Approval Process for Surveillance Technology Acquisition or Use

(a) When the Police Department seeks to acquire or use new surveillance technology or change an existing Use Policy, it shall, prior to such acquisition or use obtain approval by majority vote of the Urbana City Council prior to purchasing, acquiring, or using any new surveillance technology (as defined in Attachment A of this Ordinance), which includes adding data from a new source or new analytic tools in a manner which changes the functionality of the existing data collected by the surveillance technology.

(b) At least thirty (30) days prior to seeking approval of a surveillance technology, the City shall submit to the City Council and make publicly available a written and unredacted surveillance technology “Use Report,” along with a draft of the proposed surveillance technology “Use Policy” *(as defined in Attachment A of this Ordinance)*. During this time, the public will have the opportunity to provide input to the City Council.

PROPOSED

Section 2. Approval Process for Surveillance Technology Acquisition or Use

(a) When the Police Department seeks to acquire or use new surveillance technology or change an existing Use Policy, it shall, prior to such acquisition or use obtain approval by majority vote of the Urbana City Council prior to purchasing, acquiring, or using any new surveillance technology (as defined in Attachment A of this Ordinance), which includes adding data from a new source or new analytic tools in a manner which changes the functionality of the existing data collected by the surveillance technology.

(b) At least thirty (30) days prior to seeking approval of a surveillance technology, the City shall submit to the City Council and make publicly available a written and unredacted surveillance technology “Use Report,” along with a draft of the proposed surveillance technology “Use Policy” *(as defined in Attachment A of this Ordinance)*. During this time, the public will have the opportunity to provide input to the City Council.

(c) Once approved or denied by the City Council, surveillance technology may be reconsidered under the following circumstances:

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(1) Twelve (12) months or more after its most recent vote to approve or reconsider the technology;

(2) At any time, due to a demonstrable material change in circumstances that may affect the City Council's intent in previously approving or denying the use of a particular technology, including but not limited to the following:

a. evidence showing that the approved use of a technology has led to an outcome indicating a discriminatory impact or some other infringement of individual rights;

b. a change in the law that changes or materially impacts the previously approved or denied use of such technology;

c. the revelation of a previously unknown capability, functionality, or application of the approved technology that is inconsistent with the City Council's previous intent in approving or denying the technology; or

(3) A request to reconsider a previously approved or denied surveillance technology may be placed on a Committee of the Whole agenda by the Mayor or by council members consistent with

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City Council rules in effect at the time of the request.

(4) Once a request for reconsideration is placed on a Committee of the Whole agenda, the City Council must then vote on whether to proceed with formal reconsideration of the technology.

(5) Approval of reconsideration under paragraph (c)(1) of this section shall be by a simple council majority. Approval of reconsideration under paragraph (c)(2) of this section shall be by a 2/3 vote of the corporate authorities.

(6) If a request for reconsideration is approved by the City Council, the party requesting reconsideration will present to the City Council the material basis for the reconsideration, if applicable, and any proposed Council action, at a future Committee of the Whole meeting.

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EXISTING

Section 4(b)(iii) If the Council hasn't approved the continuing use of the surveillance technology, including the Use Report and the Use Policy, within one hundred eighty (180) days of its submission to the Council, unless otherwise extended, the City Department shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as Council approval by majority vote is obtained in accordance with the Ordinance.

PROPOSED

Section 4(b)(iii) If the Council has not voted to approve or deny the continued use of the existing technology within the specified timeframe, the City Department may continue its use of the surveillance technology while the Council approval process is pending, provided the City Department has provided all documents and information required under this ordinance, and no violation of law or policy has been identified concerning its ongoing use of the technology.

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EXISTING

Section 5. Contractual Agreements Involving Surveillance Technology

(a) Except where otherwise allowed under this Ordinance all contracts or agreements for the acquisition or use of surveillance technology, regardless of duration or cost, shall require formal approval by a majority vote of the City Council prior to execution.

(b) Prior to approval, the City shall provide all members of City Council with a complete copy of any and all contract(s) or other agreement(s) for the purchase, acquisition, or use of any new surveillance technology, including proposed non-disclosure agreements (NDAs) that are required to be executed in tandem with a purchase or acquisition agreement

(c) The Mayor's Office and all City Departments are hereby prohibited from entering into any contract or other agreement that facilitates the sharing of surveillance data. Any contracts or agreements signed prior to the enactment of this ordinance that shall be terminated as soon as is permissible

PROPOSED

Section 5. Contractual Agreements Involving Surveillance Technology

(a) Except where otherwise allowed under this Ordinance all contracts or agreements for the acquisition or use of surveillance technology, regardless of duration or cost, shall require formal approval by a majority vote of the City Council prior to execution.

(b) Prior to approval, ~~the~~ City Departments, through the Mayor's Office, shall provide all members of City Council with a complete copy of any and all contract(s) or other agreement(s) for the purchase, acquisition, or use of any new surveillance technology. Consistent with its obligations under the Illinois Freedom of Information Act (FOIA) and current practice, the City shall not enter into a nondisclosure agreement or contractual confidentiality provision with any surveillance technology vendor or third party provider that limits or purports to limit the disclosure of records or information subject to FOIA, including proposed non-disclosure agreements (NDAs) that are required to be executed in tandem with a purchase or acquisition agreement.

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EXISTINGPROPOSED

(c) ~~The Mayor's Office and all City Departments are hereby prohibited from~~ shall not entering into any contract or other agreement that facilitates the sharing of surveillance data in the City's possession with any non-governmental entity or third party in exchange for money or other consideration, whether or not such surveillance data was generated by or is owned by the City. Any such contracts or agreements signed prior to the enactment of this ordinance that are inconsistent with this section shall be terminated as soon as is permissible under the terms of the agreement.

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EXISTINGSection 6. ~~Exigent~~ Disaster CircumstancesPROPOSEDSection 6. **Exigent Circumstances**

(a) Notwithstanding the provisions of this ordinance, the Police Department may temporarily acquire or temporarily use surveillance technology in exigent circumstances for a period not to exceed 30 days, with approval from the Mayor or their designee, without following the provisions of approval stated in this ordinance before that acquisition or use.

(b) If the Police Department acquires or uses surveillance technology in exigent circumstances under this section, the Police Department must:

(i) Report that acquisition or use to the City Council in writing within 30 days following the end of those exigent circumstances and the use of the surveillance technology.

(ii) Submit a Use Report and, if necessary, a technology-specific Use Policy to the City Council regarding that Surveillance Technology within 30 days following the end of those Exigent Circumstances.

(iii) Include that surveillance technology in the next Surveillance Technology Annual Report to

... removed destruction of evidence?**Surveillance Ordinance Side-by-Side Comparison Document**

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EXISTING**PROPOSED**

the City Council following the end of those Exigent Circumstances.

(iv) If the Police Department is unable to meet the 30-day timeline to submit a surveillance technology Use Report and, if necessary, a technology-specific Use Policy to the City Council, the Police Department must notify the City Council in writing requesting to extend this period. The City Council may grant extensions in 30-day increments beyond the original 30-day timeline to submit a surveillance technology Use Report, and, if necessary, a technology-specific Use Policy.

(v) Any surveillance technology Use Report, and, if necessary, any technology-specific Use Policy submitted to the City Council under this subsection shall be made publicly available on the City's website upon submission to the City Council.

(vi) Any Surveillance Technology Use Report and, if necessary, technology-specific Use Policy submitted to the City Council under this section may be redacted to the extent required to comply with an order by a court of competent

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jurisdiction, or to exclude information that, in the reasonable discretion of the Urbana Police Department or other City Department, would, if disclosed, materially jeopardize an ongoing investigation or otherwise represent a significant risk to public safety and security; provided, however, that any information redacted pursuant to this paragraph will be released in the next Surveillance Technology Annual Report following the point at which the reason for such redaction no longer exists.

(c) Departments using approved surveillance technologies or other technologies with unutilized and unapproved surveillance capabilities may apply a technical patch or upgrade that is necessary to mitigate cyber security threats to the City's environment. The department shall not use any unapproved new surveillance capabilities of the technology until the requirements of this ordinance are met or unless the Mayor or the Mayor's designee determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade.

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EXISTING

Section 7. Exclusionary Rule; Deletion/Destruction Requirement

(a) Any data collected by surveillance technology in contravention of this ordinance, and any data or information derived therefrom, shall be deleted and destroyed as soon as possible, in accordance with state and federal laws, and may not:

(i) Be voluntarily offered as evidence by any City government entity, agency, department, prosecutorial office, or any other subdivision thereof, in any criminal or civil action or proceeding against any member of the public, except as evidence of the violation of this Act; or

(ii) Be voluntarily provided to another person or entity for use as evidence or for any other purpose.

(b) Notwithstanding the above, if, upon the discovery of data or other information that was created or collected in contravention of this ordinance, it appears such data or information may be material to the defense in a criminal prosecution, a copy of the relevant, potentially material data or other information shall be turned over to the defendant before it is deleted and destroyed.

PROPOSED

Section 7. Destruction of Improperly Collected Data

(a) Prohibition on Use or Disclosure

Any data collected through the use of surveillance technology in violation of this ordinance, and any data or information derived from such data, shall not:

1. Be knowingly used or introduced as evidence by any City department, agency, employee, or official in any criminal, civil, or administrative proceeding against any member of the public, except in a proceeding alleging a violation of this ordinance; or
2. Be knowingly disclosed or provided by any City department, agency, employee, or official to any other person or entity for the purpose of investigation, enforcement, or evidentiary use.

(b) Preservation Pending Review

Upon discovery that data may have been created or collected in violation of this ordinance, the City department possessing the data shall:

1. Segregate and preserve the data pending review; and
2. Promptly notify the appropriate prosecuting authority if the data relates to a known or reasonably foreseeable criminal investigation or prosecution.

(c) Review for Evidentiary and Discovery Obligations

Before any deletion or destruction of data subject to this section:

1. The appropriate prosecuting authority shall be given a reasonable opportunity to determine whether the data must be preserved to comply with constitutional, statutory, or court-imposed disclosure obligations, including

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2. obligations recognized under *Brady v. Maryland* and applicable Illinois discovery rules.
3. If the prosecuting authority determines that the data may be material to the defense in a criminal case, a copy of the potentially material data shall be disclosed to the defendant in accordance with applicable law before any deletion or destruction.

(d) Deletion and Destruction

After completion of the review described above, and once the City determines that retention is not required by law, court order, evidentiary obligations, or pending litigation, the data and any derivatives shall be permanently deleted or destroyed as soon as possible under applicable records retention requirements.

(e) Documentation

The City department or agency responsible for the surveillance technology shall document:

1. The determination that the data was collected in violation of this ordinance;
2. Any review conducted under subsection (c); and
3. The date and method of deletion or destruction.

Such documentation shall be retained in accordance with applicable records retention laws.

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Section 7. Exclusionary Rule; Deletion/Destruction Requirement

(a) Any data collected by surveillance technology in contravention of this ordinance, and any data or information derived therefrom, shall be deleted and destroyed as soon as possible, in accordance with state and federal laws, and may not:

(i) Be voluntarily offered as evidence by any City government entity, agency, department, prosecutorial office, or any other subdivision thereof, in any criminal or civil action or proceeding against any member of the public, except as evidence of the violation of this Act; or

(ii) Be voluntarily provided to another person or entity for use as evidence or for any other purpose.

(b) Notwithstanding the above, if, upon the discovery of data or other information that was created or collected in contravention of this ordinance, it appears such data or information may be material to the defense in a criminal prosecution, a copy of the relevant, potentially material data or other information shall be turned over to the defendant before it is deleted and destroyed.

PROPOSED

Section 7. Review and Management of Surveillance Data Obtained Through Noncompliant Collection

(a) Policy Statement

It is the policy of the City that surveillance technology shall be used in compliance with this ordinance.

However, nothing in this Section shall be interpreted to prohibit or discourage the collection of evidence by law enforcement officers acting in good faith within the scope of their duties and in accordance with applicable law.

(b) Identification of Noncompliant Collection

If a City department determines that data may have been collected or generated through the use of surveillance technology in violation of this ordinance, the department shall:

1. Document the nature of the potential violation; and
2. Segregate the data pending review, where practicable.

(c) Preservation and Use Pending Review

Data identified under subsection (b):

1. Shall not be deleted or destroyed until review under this Section is complete;
2. May be used for legitimate law enforcement purposes, unless and until the City Attorney determines that such use would violate applicable law; and
3. Shall be handled in a manner that preserves its integrity for evidentiary and legal review.

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(d) Legal and Compliance Review

The City Attorney, in consultation with the appropriate prosecuting authority, shall:

1. Determine whether the collection or use of the data complied with this ordinance and applicable law;
2. Determine whether the data must be preserved or disclosed to comply with constitutional, statutory, or court-ordered obligations, including those recognized under *Brady v. Maryland* and applicable discovery rules such as Illinois Supreme Court Rule 412; and
3. Provide guidance to the department regarding permissible use, disclosure, retention, or remedial measures.

(e) Evidentiary Use

Nothing in this Section shall be interpreted to:

1. Create an independent basis for the exclusion of evidence in any judicial or administrative proceeding; or
2. Prohibit the use or disclosure of data where such use or disclosure is otherwise permitted or required by law.

(f) Corrective Action

If a violation of this ordinance is confirmed, the City department shall:

1. Implement corrective measures to prevent recurrence;

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2. Consider whether administrative or disciplinary action is appropriate, taking into account whether the conduct was undertaken in good faith; and
3. Comply with any directives issued by the City Attorney regarding future use or handling of the data.

(g) Retention and Deletion

Following completion of review:

1. Data shall be retained, disclosed, or destroyed only in accordance with applicable law, including but not limited to approved records retention schedules and any required authorization under the Illinois Local Records Act;
2. Where such data constitutes a public record, its retention and disposition shall be governed by the City's approved records retention schedule and applicable law;
3. Nothing in this Section shall be construed to require or authorize the destruction of any record in a manner inconsistent with such requirements; and
4. No data shall be destroyed if subject to litigation hold, evidentiary obligations, or reasonably foreseeable legal proceedings.

(h) Documentation

The City department shall maintain records of:

1. The identified violation of this ordinance;
2. The legal and compliance review under this Section;
3. Any determinations regarding use, disclosure, or retention; and
4. Any corrective actions taken.

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Section 8. Annual Surveillance Technology Report Oversight

- (a) The Civilian Police Review Board (CPRB) shall review each Surveillance Technology Annual Report, Use Report, and Use Policy of surveillance technology or database subject to this ordinance, with a final vote on the recommendation by CBRP before moving to the Urbana City Council Committee of the Whole. If the CPRB is not able to review the reports and policies in a reasonable time-frame due to logistical factors, the City Department will present the reason for lack of CPRB review to council.
- (b) The Civilian Police Review Board and the Human Rights Commission shall hear complaints made to their Board or Commission regarding surveillance technology or databases subject to this ordinance in accordance with Chapter 19 Article 3 and Chapter 12 of the Urbana City Code of Ordinances.
- (c) Upon request, representatives of City Council, the Civilian Police Review Board, and the Human Rights Commission shall be given full and open access to information relevant to the enforcement of this ordinance or complaints made to their Board or Commission regarding surveillance technology or databases subject to this ordinance, in compliance with the Open Meetings Act, City confidentiality policies, and other relevant state and federal laws.

PROPOSED

Section 8. ~~Annual~~ Surveillance Technology Reporting Oversight and Policy Review

- (a) The Civilian Police Review Board (CPRB) shall review each Surveillance Technology Annual Report, Use Report, and Use Policy of surveillance technology or database subject to this ordinance submitted by the Police Department, with a final vote on the recommendation by CBRP before moving to the Urbana City Council Committee of the Whole. If the CPRB is not able to review the reports and policies in a reasonable time-frame due to logistical factors, the City Police Department will present the reason for lack of CPRB review to council.
- (b) ~~The Civilian Police Review Board-CPRB~~ and the Human Rights Commission (HRC) ~~shall may~~ hear complaints within their existing authority under the City Code that involve made to their Board or Commission the use of surveillance technology or databases subject to this ordinance in accordance with Chapter 19 Article 3 and Chapter 12 of the Urbana City Code of Ordinances.
- (c) Upon request, representatives of City Council, by the CPRB or HRC, City Departments shall provide records the Civilian Police Review Board, and the Human Rights Commission shall be given full and open access to information relevant to the enforcement of this ordinance or a complaints properly made to their Board or Commission before that body that involves the use of regarding surveillance technology or databases subject to

Commented [MR1]: A note for City Council members: While this language is in the current draft ordinance, whether to delegate these functions to the CPRB remains an open policy question among Council that will require a vote. Also, the textual changes in paragraph (a) reflect the City Attorney's recognition that the CPRB presently has oversight authority only over certain matters pertaining to the Police Department. *If Council opts to delegate surveillance oversight and advisory authority to CPRB, it will also need to determine whether it intends for CPRB to perform this function relative to all City departments (expanding its scope beyond Police) or only vis-a-vis the Police Department.*

Alternatives:

Delegate these new advisory and oversight to CPRB; this paragraph (a) would remain as-is & CPRB ordinance would require concurrent revision.

- All Departments?
- Police Department only?

Do not delegate new duties to CPRB; this paragraph (a) would be removed from draft ordinance.

Delegate only some of the duties (e.g. only Surveillance Tech Annual Report and Use Reports [oversight] OR only Proposed Use Policy [advisory]); part of paragraph (a) would be removed.

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~~this ordinance, in compliance with the Open Meetings Act, City confidentiality policies, and other relevant state and federal laws.~~

-  (d) The City Council, in its review of Surveillance Technology Annual Reports and Use Reports, may request and shall be entitled to receive and review records related to the use of such technology by City Departments.

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EXISTING

ATTACHMENT A

Definitions:

1) *Disaster Circumstances* mean occurrences that are determined by the Mayor or their designee to meet the definition of a “disaster” under the Illinois Emergency Management Agency Act (220 ILCS 3305/1 et seq), meaning “an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, technological, or human cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, cyber incidents, or acts of domestic terrorism.” The use of surveillance technology in disaster circumstances shall not infringe upon an individual’s right to peacefully protest or exercise other lawful and protected constitutional rights.

4) *Surveillance Technology* means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance monitoring device, hardware, or software.

PROPOSED

ATTACHMENT A

Definitions:

1) *Exigent Circumstances* means the Urbana Police Chief or their designee’s good faith and reasonable belief that an emergency involving danger of death, physical injury, or significant property damage or loss, similar to those that would render it impracticable to obtain a warrant, requires the use of the surveillance technology or the surveillance data it provides. The use of surveillance technology in exigent circumstances shall not infringe upon an individual’s right to peacefully protest or exercise other lawful and protected constitutional rights.

4) *Surveillance Technology* means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance monitoring device, hardware, or software.

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EXISTING

- a) Examples of Surveillance Technology include, but are not limited to:
 - 10. Video and audio monitoring and/or recording technology, such as surveillance cameras;
 - #. Drone usage in City limits, in addition to compliance with the Illinois Freedom from Drone Surveillance Act
- b) Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:

PROPOSED

- a) Examples of Surveillance Technology include, but are not limited to:
 - 10. Video and audio monitoring and/or recording technology that can be remotely accessed, including privately owned devices such as doorbell or private security cameras; such as surveillance cameras;
 - #. Use of aerial Ddrones usage by the City or on behalf of the City within City limits, in addition to compliance with the Illinois Freedom from Drone Surveillance Act
- b) Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:
 - 15. Personal communication devices that have not been modified beyond stock manufacturer capabilities in a manner described above, provided that any bundled Face Recognition Technology is only used for the sole purpose of user authentication in the regular course of conducting City business.
 - 16. Case-specific use of publicly available information, open-source intelligence, and federally or state-regulated criminal justice databases and federal and state law enforcement infrastructure such as Law Enforcement Agencies Data Systems (LEADS), National Crime Information Center (NCIC), Combined DNA Index System (CODIS), National Integrated Ballistic Information Network (NIBIN), and other similar systems.

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EXISTING

c) “Use Report” shall mean a publicly released, legally enforceable written report that includes, at a minimum, the following:

(i) Information describing the surveillance technology and how it works.

(ii) Information on the proposed purpose(s) of the surveillance technology.

(iii) If the surveillance technology will not be uniformly deployed throughout the city, what factors will be used to determine where the technology will be deployed or targeted, and the location(s) where it may be deployed and crime statistics for such location(s).

(iv) The fiscal impact of the surveillance technology, including initial purchase and other known ongoing costs, including impact on personnel time, along with any current or potential sources of funding.

(v) An assessment of whether use of the surveillance technology will have an unwarranted disparate impact on protected classes and demographics, as defined in the Illinois Civil Rights Act of 2003, the Urbana Human Rights Ordinance, and other relevant laws and policies.

(vi) An assessment identifying any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights, and what specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts.

PROPOSED

(c) “Use Report” shall mean a publicly released, legally enforceable written report that includes, at a minimum, the following:

(i) Information describing the surveillance technology and how it works.

(ii) Information on the proposed purpose(s) of the surveillance technology.

(iii) If the surveillance technology will not be uniformly deployed throughout the city, what factors will be used to determine where the technology will be deployed or targeted, and the location(s) where it may be deployed and crime statistics for such location(s).

(iv) The fiscal impact of the surveillance technology, including initial purchase and other known ongoing costs, including impact on personnel time, along with any current or potential sources of funding.

(v) An assessment of whether use of the surveillance technology will have an unwarranted disparate impact on protected classes and demographics, as defined in the Illinois Civil Rights Act of 2003, the Urbana Human Rights Ordinance, and other relevant laws and policies.

(vi) An assessment identifying any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights, and what specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts.

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(vii) Whether use or maintenance of the surveillance technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.

PROPOSED

(vii) Whether use or maintenance of the surveillance technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.

(viii) Sensitive Surveillance Technology Information (SSTI) will not be included in use reports.



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EXISTING

(d) “Use Policy” shall mean a publicly released, legally enforceable written policy governing the use of the surveillance technology that, at a minimum, includes and addresses the following:

- (i) Purpose: What specific purpose(s) the surveillance technology is intended to advance.
- (ii) Description of the authorization for use of the surveillance technology: specifically, what legal and procedural rules will govern each authorized use; what potential uses of the surveillance technology will be expressly prohibited such as the warrantless surveillance of public events and gatherings; and how and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the police technology be analyzed and reviewed.
- (iii) Description of data collection, protection, and retention: specifically, what types of surveillance data will be collected, captured, recorded, intercepted, or retained by the police technology; what safeguards will be used to protect surveillance data from unauthorized access; for what maximum limited time period the surveillance data will be retained; and by what process the surveillance data will be regularly deleted after the retention period.
- (iv) Description of data sharing: specifically, which governmental agencies, departments, bureaus, divisions, or units will be approved for data sharing; how such sharing is necessary for the stated purpose and use of the

PROPOSED

(d) “Use Policy” shall mean a publicly released, legally enforceable written policy governing the use of the surveillance technology that, at a minimum, includes and addresses the following:

- (i) Purpose: What specific purpose(s) the surveillance technology is intended to advance.
- (ii) Description of the authorization for use of the surveillance technology: specifically, what legal and procedural rules will govern each authorized use; what potential uses of the surveillance technology will be expressly prohibited such as the warrantless surveillance of public events and gatherings; and how and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the police technology be analyzed and reviewed.
- (iii) Description of data collection, protection, and retention: specifically, what types of surveillance data will be collected, captured, recorded, intercepted, or retained by the police technology; what safeguards will be used to protect surveillance data from unauthorized access; for what maximum limited time period the surveillance data will be retained; and by what process the surveillance data will be regularly deleted after the retention period.
- (iv) Description of data sharing: specifically, which governmental agencies, departments, bureaus, divisions, or units will be approved for data sharing; how such sharing is necessary for the stated purpose and use of the

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surveillance technology; and what mechanisms will ensure any entity sharing access to the surveillance technology or surveillance data complies with the applicable surveillance use requirements within the Urbana “Use Policy” and does not further disclose the surveillance data to unauthorized persons and entities.

(v) Training: The training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.

(vi) Auditing and Oversight: The mechanisms to ensure that the surveillance use policy is followed, including internal personnel assigned to ensure compliance with the surveillance use policy, internal record keeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.

PROPOSED

surveillance technology; and what mechanisms will ensure any entity sharing access to the surveillance technology or surveillance data complies with the applicable surveillance use requirements within the Urbana “Use Policy” and does not further disclose the surveillance data to unauthorized persons and entities.

(v) Training: The training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.

(vi) Auditing and Oversight: The mechanisms to ensure that the surveillance use policy is followed, including internal personnel assigned to ensure compliance with the surveillance use policy, internal record keeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.

(vii) Sensitive Surveillance Technology Information: When applicable, use policies shall not include SSTI, as defined herein.



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(e) “Surveillance Technology Annual Report” shall mean a written report covering each surveillance technology in use over the past year that is publicly released at least once per year and shall, at a minimum, include the following:

- (i) A summary of how each surveillance technology was used, including locations and neighborhoods where technology or equipment was deployed, and information that may assist the City Council to assess whether the surveillance technology has been effective at achieving its identified purposes.
- (ii) Total annual costs for each surveillance technology and database, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (iii) How often and what type of collected surveillance data was shared with and received from any external persons or entities; under what legal standard(s) the information was disclosed; and the justification for the disclosure(s).
- (iv) A summary of complaints or concerns that were received about each surveillance technology.
- (v) The results of any internal audits, any information about violations of the Use Policy, and any actions taken in response to complaints or concerns.
- (vi) Justification for the continued use of each surveillance technology.

PROPOSED

(e) “Surveillance Technology Annual Report” shall mean a written report covering each surveillance technology in use over the past year that is publicly released at least once per year and shall, at a minimum, include the following:

- (i) A summary of how each surveillance technology was used, including locations and neighborhoods where technology or equipment was deployed, and information that may assist the City Council to assess whether the surveillance technology has been effective at achieving its identified purposes.
- (ii) Total annual costs for each surveillance technology and database, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (iii) How often and what type of collected surveillance data was shared with and received from any external persons or entities; under what legal standard(s) the information was disclosed; and the justification for the disclosure(s).
- (iv) A summary of complaints or concerns that were received about each surveillance technology.
- (v) The results of any internal audits, any information about violations of the Use Policy, and any actions taken in response to complaints or concerns.
- (vi) Justification for the continued use of each surveillance technology.
- (vii) Sensitive Surveillance Technology Information (SSTI) will not be included in Annual Reports.

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PROPOSED

(f) "Sensitive Surveillance Technology Information" means any information about Surveillance Technology that, if publicly disclosed, could unreasonably expose or endanger City infrastructure or adversely impact the operations of City departments. This also includes information about Surveillance Technology for which public disclosure may otherwise be prohibited by law.

