

AGENDA



Wednesday, June 18, 2008

**Police
RECOMMENDATION FOR COUNCIL ACTION****Item No. 36**

Subject: Approve an ordinance amending Chapter 9-2 (Noise and Amplified Sound) of the City Code to authorize issuance of a permit allowing operation of equipment to deliver and pour concrete in the Central Business District between 7:00 p.m. and 6:00 a.m.

Fiscal Note: A fiscal note is not required.

For More Information: Assistant Chief David Carter/974-5030

Prior Council Action: A Council Resolution that directed the City Manager to initiate amendments to City Code Chapter 9-2 to allow issuance of a permit authorizing operation of equipment to deliver and pour concrete in the Central Business District between 7:00 p.m. and 6:00 a.m., on April 24, 2008.

On April 24, 2008, Council directed the City Manager to initiate amendments to Chapter 9-2 (Noise and Amplified Sound) of the City Code that would allow issuance of a permit authorizing operation of equipment to deliver and pour concrete in the Central Business District between 7:00 p.m. and 6:00 a.m.

The ordinance authorizes the Watershed Protection and Development Review Department (WPDR) to issue permits for the installation (delivery, pouring and finishing) of concrete between the hours of 7:00 p.m. and 6:00 a.m. in the Central Business District. The director of WPDR may issue a permit to install concrete during those nighttime hours in the interest of public safety, in the case of urgent necessity, or for other reasons determined by the director to be necessary for the public health, safety or welfare. Enforcement of the noise provisions would remain with the Austin Police Department.

An application for a permit allowing installation of concrete during the extended hours must include: the name, address and telephone number of the applicant; the address or description of the location of the property where the concrete will be installed; the start and finish time of the concrete installation; and a statement that the applicant has obtained a copy of this chapter of the City Code, and of the rules adopted by the director and agrees to comply with them and the terms of the permit. A permit issued for installation of concrete between 7:00 p.m. and 6:00 a.m. will be in effect for the duration specified on the permit, but may not exceed 72 hours.

The ordinance allows Council to establish an application and permit fee by separate ordinance.