

## MOTION SHEET FOR ITEM NO. 28

Move that the ordinance in backup, which reflects CMO's recommendations, is amended as follows:

- **Part 5 is deleted and replaced with the following:**

### **PART 5. EXTENSION OF TEMPORARY MORATORIUM.**

1. The temporary moratorium on the issuance or renewal of permits for outdoor music venues adopted by Part 3 of Ordinance No. 20090115-055 is hereby extended until March 13, 2009. Accordingly, a permit or permit renewal under City Code Section 9-2-12 (*Permit for an Outdoor Music Venue*) shall not be issued until March 13, 2009.
2. The moratorium does not apply to new permits or permit renewals that would expire on or before March 24, 2009, which is the last day of the South by Southwest Music Festival. At the request of an applicant, the director is authorized to issue permits for outdoor music venues with an expiration on or before March 24, 2009.

- **A new Part 6 is added to read as follows:**

### **PART 6. DECLARATION OF EMERGENCY; EFFECTIVE DATE.**

1. Based on the findings set forth in Part 1 of this ordinance, the Council finds that confusion regarding the requirements applicable to outdoor music venues negatively affects citizens of the City of Austin, as well as restaurant and club owners. The Council further finds that continued issuance of outdoor music permits and permit renewals would undermine the process initiated by this ordinance to review and consider revisions to the regulatory, operational, and enforcement requirements applicable to outdoor music permits.
2. The Council further finds that these circumstances constitute an emergency. Because of the emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

- The title of the ordinance is replaced with the following:

**AN ORDINANCE RELATED TO REQUIREMENTS FOR OUTDOOR MUSIC VENUES; AMENDING CITY CODE SECTIONS 9-2-1 AND 9-2-12; ADDING A NEW CITY CODE SECTION 9-2-34; ADOPTING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR OUTDOOR MUSIC VENUES; AND DECLARING AN EMERGENCY.**