

## AGENDA



Thursday, November 5, 2009

**Police  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 26**

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**Subject:** Approve an ordinance amending City Code Chapter 9-2 (Noise and Amplified Sound) relating to noise from sound equipment to include watercraft; and creating an offense.

**Fiscal Note:** A fiscal note is not required.

**For More Information:** David Carter, APD Chief of Staff / 974-5030

**Boards and Commission Action:** Recommended by Parks and Recreation Board.

**Prior Council Action:** March 12, 2009 - Council amendment to ordinance.

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This action is to approve an ordinance amending City Code Chapter 9-2 (Noise and Amplified Sound) relating to noise from sound equipment in a watercraft. City Code Section 9-2-3(5) currently applies to operating sound equipment (such as radios) from a motor vehicle but does not specifically include noise from sound equipment in a watercraft. Under the current ordinance it is a violation to "operate sound equipment in a vehicle audible or causing a vibration 30 feet from the equipment." The Austin Police Department (APD) is requesting that Section 9-2-3 be amended to prohibit operation of sound equipment in a watercraft that is audible or causing a vibration 100 feet from the equipment. APD has assumed previous Park Patrol functions, and has been receiving complaints and concerns from citizens regarding loud music coming from watercrafts on the lake. This ordinance amendment would allow police officers to enforce the law relating to noise coming from sound equipment on a watercraft. Without this amendment, APD is unable to apply the noise ordinance provisions to address citizen complaints.