

**ORDINANCE NO. 20100211-017**

**AN ORDINANCE AUTHORIZING 96-HOUR SOUND AMPLIFICATION PERMITS; WAIVING THE REQUIREMENTS OF CITY CODE SECTION 9-2-24 RELATED TO PERMIT DURATION; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1. REQUIREMENTS FOR 96-HOUR SOUND AMPLIFICATION PERMITS.** Notwithstanding the requirements of City Code Section 9-2-24 (*Duration of Permit*), the director may issue a sound amplification permit under Section 9-2-14 (*Permit for Other Property*) for a duration of 96-hours subject to the following requirements:

- (A) No more than one 96-hour sound amplification permit may be issued for the same site or property during a calendar year. If a 96-hour and a 24-hour permit are issued for the same site or property, the effective dates for the two permits must be at least 30-days apart.
- (B) A 96-hour sound amplification permit may be issued no earlier than 14-days after the date the application is submitted.
- (C) Within three (3) business days of receiving an application for a 96-hour sound amplification permit, the director shall provide notice of the address, date, and duration of the proposed event to:
  - (1) applicant;
  - (2) notice owner of a single-family use located within 600 feet of the site or property subject to the permit;
  - (3) notice owner of a multi-family use located adjacent to the site or property subject to the permit;
  - (4) registered neighborhood organization whose declared boundaries are within 600 feet of the site or property subject to the permit; and
  - (5) appropriate City staff including, but not limited to the Austin Police Department, Special Events Unit; Transportation Department, Right of Way Management Division; and Austin Fire Department, Fire Marshall.
- (D) Limitations imposed by City Code Chapter 9-2 (*Noise and Amplified Sound*) on the hours during which sound equipment may be operated apply regardless of the duration of a permit.

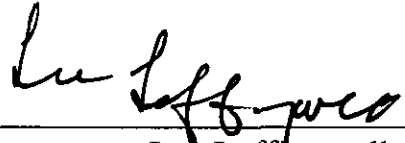
- (E) This ordinance does not extend a right of administrative appeal to sound amplification permits under Section 9-2-14 (*Permit for Other Property*).
- (F) A 96-hour sound amplification permit may not be issued for a site or property that is used as a parking lot unless the lot is leased by an adjacent commercial structure.

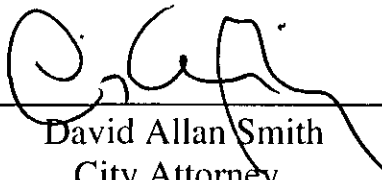
**PART 2. EXPIRATION.** This ordinance expires on June 30, 2010, at 11:59 p.m.

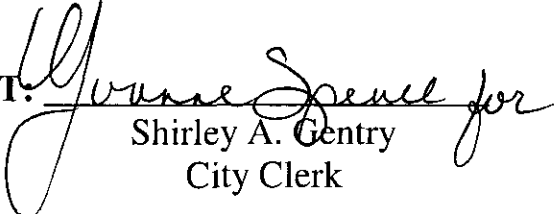
**PART 3. EFFECTIVE DATE.** The city council finds that the requirements of City Code Chapter 9-2 (*Noise and Amplified Sound*) do not include adequate provisions for outdoor music events of limited duration, which play a vital role in the spring festival season, but also pose unique challenges for permitting and planning. Because of the upcoming festival season, the council finds that the absence of such requirements constitute an emergency. Accordingly, this ordinance takes effect immediately on its passage for the preservation of public peace, health, and safety.

**PASSED AND APPROVED**

February 11, 2010

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Lee Leffingwell  
Mayor

**APPROVED:**   
David Allan Smith  
City Attorney

**ATTEST:**   
Shirley A. Gentry  
City Clerk