

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	38251	Agenda Number	4.
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Meeting Date:	12/11/2014	Department:	Economic Development
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## Subject

Approve an ordinance amending City Code Title 9 relating to audible noises and music and solicitation.

## Amount and Source of Funding

## Fiscal Note

A fiscal note is not required.

Purchasing Language:	
Prior Council Action:	September 25, 2014 - Council approved Resolution No. 20140925-080 directing the City Manager to process code amendments related to performing and busking on City right-of-ways.
For More Information:	Kevin Johns, Director / EDD, 512-974-7802; Don Pitts, Music Program Manager / EDD-Music & Entertainment Division, 512-974-7821
Boards and Commission Action:	August 4, 2014 - Austin Music Commission unanimously approved street performers and the art of busking by a vote of 5-0 with Commissioners Fort and Sokol absent. (Recommendation No. 20140804-004)
MBE / WBE:	
Related Items:	

## Additional Backup Information

The proposed ordinance amends

- (1) Section 9-2-3 (*General Restrictions*) to authorize individuals to play musical instruments and make noise that is audible to adjacent businesses until midnight; and
- (2) Section 9-4-13 (*Solicitation Prohibited*) to authorize solicitation in the downtown business area described in Section 9-4-14 (*Sitting or Lying Down on Public Sidewalks in the Downtown Business Area Prohibited*) until midnight.

The proposed ordinance amends two specific sections of the City Code that most directly impact the act of busking and street performing. However, these amendments do not authorize an individual (or a group of individuals) to block the ingress or egress of businesses or sidewalks; or to engage in aggressive solicitation.