

ORDINANCE NO. _____

AN ORDINANCE WAIVING CERTAIN FEES AND REQUIREMENTS UNDER CITY CODE CHAPTER 14-8; WAIVING CERTAIN OTHER FEES, PAYMENTS, AND REQUIREMENTS; AUTHORIZING PAYMENT OF CERTAIN COSTS; WAIVING CERTAIN CITY CODE REQUIREMENTS FOR THE CITY CO-SPONSORED 2015 SOUTH BY SOUTHWEST CONFERENCES AND FESTIVALS MARCH 13-22, 2015; AND ESTABLISHING A FRAMEWORK FOR LONG-TERM PLANNING FOR SOUTH BY SOUTHWEST CONFERENCES AND FESTIVALS .

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

PART 1. FINDINGS.

The council finds the following:

- (1) The City of Austin (the “City”) has been the host city for the South By Southwest Conferences and Festivals (the “SXSW Event”) since the first SXSW Event in 1987; and
- (2) The SXSW Event brings hallmark cultural value to the City by featuring creative talent, including musical performers, film producers, technology trailblazers, and speakers who are leaders in their respective industries; and
- (3) The SXSW Event has grown into an internationally recognized event that attracts attendees and companies from all over the world to Austin, with an economic impact of over \$1 billion for the City of Austin over the past five years; and
- (4) The SXSW Event is a City Co-Sponsored Event, providing a range of free public concerts and other popular cultural events attended by thousands of Austin residents annually; and
- (5) City services provided during the SXSW Event protect and benefit everyone in downtown Austin, including local businesses, the Austin community, visitors, and SXSW Event attendees and participants; and
- (6) Safety during the SXSW Event is the top priority for SXSW, LLC (“SXSW”) and the City; and

(7) Long-term planning for SXSW Events should manage cumulative impacts on safety and resources; and

(8) The 2015 SXSW Event will be held March 13-22, 2015.

PART 2. Council waives certain fees and requirements under City Code Chapter 14-8 (*Temporary Closure for Right of Way Event*), certain other fees, payments, and requirements for free, City-sponsored events that are open to the public in public areas during the 2015 SXSW Event as follows. Fees that have been paid shall be reimbursed to SXSW. The dollar amounts listed below are the maximum amounts waived under this ordinance.

- (1) Event Day Fees for Parks and Parks facilities such as Auditorium Shores and Carver Museum (Parks and Recreation);
- (2) Event Set Up Fees for Parks and Parks facilities (Parks and Recreation);
- (3) Event Take Down/Clean-up Day Fees for Parks and Parks facilities (Parks and Recreation);
- (4) Utility and Equipment Use Fees for Parks and Parks facilities (Parks and Recreation);
- (5) Alcohol Permit Fee for Parks and Parks facilities (Parks and Recreation);
- (6) Sound Permit Fee for Parks and Parks facilities (Parks and Recreation);
- (7) Maintenance Fee for Parks and Parks facilities (Parks and Recreation);
- (8) Lobby Party Package and Kitchen Use Fees for Park and Park facilities (Parks and Recreation);
- (9) Parking Spaces Use Fee (Austin Transportation);
- (10) Parking Application Fee (Austin Transportation);
- (11) Street Closure Permit Fee (Austin Transportation);
- (12) Application Fee (Austin Transportation);
- (13) Traffic Control Plan (Austin Transportation);
- (14) Safety Inspection Fee (Austin Transportation);
- (15) Lamp Post Banner Fees (Austin Transportation);
- (16) Temporary Vending Permit Fees (Health and Human Services);
- (17) Standby Fees (Emergency Medical Services); and
- (18) Additional Street and Litter Control Services (Austin Resource Recovery)

Total fees waived not to exceed \$350,000.

(19) Police Costs (Austin Police);

(20) Additional Dumpsters and Service (Austin Resource Recovery);

1 (21) Fire Inspection and Permit Costs (Austin Fire); and

2 (22) Barricade Costs (Austin Transportation)

3 **Total payments authorized not to exceed \$600,000.**

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5 **Total amount waived and authorized not to exceed \$950,000.**

6 **PART 3.** Council waives certain closure notice requirements that allow affected
7 individuals and neighborhood associations to object to street closures under City Code
8 Chapter 14-8 (*Temporary Closure for Right of Way Event*) for the 2015 SXSW Event.

9 **PART 4.** Council modifies the following City Code requirements and restrictions during
10 the period of March 13-22, 2015. Nothing in these modifications is intended to waive
11 required City staff approvals.

- 12 (1) With respect to events during the Spring Festival Season that are produced
13 or represented by SXSW for the SXSW Event, the restriction on maximum
14 number of days for a multi-day special events permit in City Code Sections
15 9-2-36 (*Types of Live Music Permits*) and 9-2-38 (*Multi-day Special Events*
16 *Permit*) is modified to allow a multi-day permit for a maximum of 10 days
17 during the Spring Festival Season.
- 18 (2) With respect to events during the Spring Festival Season that are produced
19 or represented by SXSW for the SXSW Event, the restriction in City Code
20 Section 9-2-38(F) (*Multi-day Special Events Permits*) is modified to allow a
21 permit to be issued for a site or property that is used as a parking lot if the lot
22 is not leased by an adjacent commercial structure.
- 23 (3) With respect to events during the Spring Festival Season that are produced
24 or represented by SXSW for the SXSW Event, the restriction the notice of
25 application for multi-day permits in City Code Section 9-2-54 (*Notice of*
26 *Application*) is modified to waive the notice requirement in Subsection 9-2-
27 54(B).
- 28 (4) With respect to events during the Spring Festival Season that are produced
29 or represented by SXSW for the SXSW Event, City Code Section 25-10-158
30 (*Special Event Signs*) is modified as follows:
- 31 (a) Subsection 25-10-158(B)(1) is modified to allow a maximum of 5
32 signs;
- 33 (b) Subsection 25-10-158(B)(2) is modified to allow projected signs that
34 may not exceed the lesser of 75% of the area of a façade or 9000
35 square feet;

- 1 (c) Subsection 25-10-158(B)(3) is modified to allow advertising to appear
2 on no more than 75 % of the sign area;
- 3 (d) Subsection 25-10-158(C)(1) is modified to allow signs no larger than
4 360 square feet; and
- 5 (e) Subsection 25-10-158(C)(2) is modified to allow advertising to appear
6 on no more than 50% of the sign area.
- 7 (5) For events that are produced or represented by SXSW for the SXSW Event,
8 City Code Subsection 25-10-158(C)(1) (*Special Event Signs*) is further
9 modified to allow, subject to the director's approval, additional non-
10 projected signs that provide direction to activities occurring at the special
11 event. The director may disapprove a sign authorized by this paragraph if the
12 director or his designee determines that the sign constitutes a threat to public
13 health and safety or constitutes a traffic hazard.
- 14 (6) Code Section 13-2-289 (*Operating Authority Limitations*) is modified to
15 authorize the Austin Transportation Department to issue operating authority
16 to a maximum of 20 electric low-speed vehicle services for use during the
17 Spring Festival Season only.

18 **PART 5.** Council authorizes the City Manager to create an administrative framework
19 that, in the interest of safety and predictability, will facilitate long-term planning for
20 SXSW Events that addresses (i) a comprehensive, integrated safety plan for venues and
21 events that occur during the Spring Festival Season; and (ii) the cumulative impact of the
22 SXSW Event prior to issuing additional City permits for the same geographic area and
23 during the Spring Festival Season.

24 **PART 6.** After the 2015 SXSW Event, the City Manager shall report to Council the
25 effectiveness of this ordinance. The report should, at a minimum, address safety and
26 feedback from the public.

27 **PART 7.** Council directs the City Manager to place an ordinance on the June 25, 2015
28 Council agenda that would extend this Ordinance to apply to the 2016 SXSW Event.

29 **PART 8.** This ordinance takes effect on _____, 2014.

PASSED AND APPROVED

_____, 2014

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk