

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	40467	Agenda Number	5.
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Meeting Date:	3/26/2015	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

On September 25, 2014, Council approved Resolution No. 20140925-080 directing the City Manager to process amendments to the City Code that authorize street performers and buskers on public right-of-way.

The proposed ordinance will amend City Code Sections 9-2-3 (General Restrictions) and 9-4-13 (Solicitation Prohibited).

The proposed ordinance prohibits:

- (1) playing musical instruments and making noise that is plainly audible from the boundary line of the nearest business or residentially occupied property after 1:00 a.m.; and
- (2) solicitation after 1:00 a.m.

The proposed changes will apply to the following areas:

- 600 to 900 blocks of Red River Street
- Sixth Street District, defined as the area that begins at the intersection of IH-35 and Fifth Street, north along IH-35 to the intersection of Seventh Street, west along Seventh Street to Congress Avenue, south along Congress Avenue to Fifth Street, east along Fifth Street to IH-35, to the place of beginning
- Warehouse District, defined as the area that begins at the intersection of Congress Avenue and Cesar Chavez Street, north along Congress Avenue to Fifth Street, west along Fifth Street to Guadalupe Street, south along Guadalupe Street to Cesar Chavez Street, and east along Cesar Chavez Street to Congress Avenue, to the place of beginning

The proposed ordinance also replaces “audible to an adjacent business or residence” in Section 9-2-3(A)(2) with “that is plainly audible from the boundary line of the nearest business or residentially occupied property.”