



**Austin City Code Amendment
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 35
AGENDA DATE: Thu 04/15/2004
PAGE: 1 of 1

SUBJECT: Set a public hearing to consider an ordinance adopting a new Chapter 1-3 of the City Code relating to Citation Program; amending Section 10-5-44 of the City Code relating to placing objects on public property; amending Section 25-10-103 of the City Code relating to signs on public property; creating offenses; and providing penalties. (Recommended date and time: April 22, 2004, at 6:00 P.M., Lower Colorado River Authority, Hancock Building.)

AMOUNT & SOURCE OF FUNDING: There is no fiscal impact associated with setting this public hearing.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Neighborhood Planning **DIRECTOR'S**
DEPARTMENT: and Zoning **AUTHORIZATION:** Alice Glasco

FOR MORE INFORMATION CONTACT: Cora D. Wright, Assistant Director NPZD, 974-7673

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Scheduled for public hearing and consideration before the Planning Commission on Tuesday, April 13, 2004.

BACKGROUND:

October 23, 2003, the City Council directed staff to expedite plans to create a citywide Citation Program as an additional enforcement tool for addressing right-of-way sign violations (e.g. bandit signs). This directive was consistent with the Planning Commission recommendation on September 10, 2003, to ticket individuals who violate the sign regulations. City Council also directed staff to continue exploring the feasibility of creating an escalating fine structure for repeat sign violations.

Approval of this ordinance results in:

1. Creation of a citywide Citation Program as an additional enforcement tool for City inspectors, code enforcement, or other designated City employees to issue one or more citations (or tickets) to a person or business that has engaged in conduct that violates a law or City ordinance.
2. Creation of an escalating fine structure for repeat offenses involving illegal placement of objects (including illegal right-of-way signs—otherwise known as bandit signs) on or over public property or public right-of-way.
3. Creation of a civil penalty against a person or business that fails to remove illegally placed objects within 48 hours after being notified of the offense in writing by an authorized City employee.
4. Deletion of the requirement for a culpable mental state for conviction of a bandit sign offense.

Staff recommends that the maximum fine for sign violations remain at \$500/violation/day.