

ORDINANCE NO. 040617-11

AN ORDINANCE AMENDING SECTIONS 14-11-1 AND 14-11-2 OF THE CITY CODE RELATING TO APPLICATIONS FOR THE DISPOSITION OF PUBLIC EASEMENTS AND RIGHTS-OF-WAY, AND EXCEPTIONS TO THE LICENSE AGREEMENT REQUIREMENT FOR CERTAIN USES OF PUBLIC PROPERTY.

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

PART 1. Section 14-11-1(B) of the City Code is amended to read:

(B) An application filed under this section must be accompanied by:

- (1) a non-refundable application fee in an amount established by separate ordinance; and
- (2) a survey and field note description of the public property or easement to be released, licensed, or vacated.

PART 2. Section 14-11-2 of the City Code is amended to read:

§ 14-11-2 EXCEPTIONS FOR CERTAIN USES OF PUBLIC PROPERTY.

A person is not required to obtain a license for the private use of public property for a:

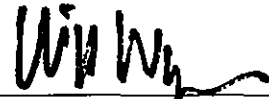
- (1) temporary construction barricade;
- (2) banner over a street;
- (3) temporary street closing;
- (4) landscaped area or structure, as defined in Section 25-1-21 (*Definitions*), in a public easement if the director of the Public Works Department determines that the landscaped area or structure existed before the creation of the easement and does not interfere with the use of the easement; or
- (5) ~~(4)~~ circumstance in which a minor or temporary encroachment occurs that is regulated by another provision of the Code.

PART 3. This ordinance takes effect on June 28, 2004.

PASSED AND APPROVED

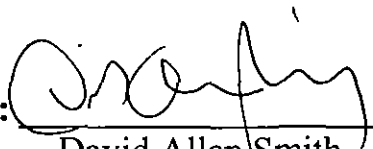
____ June 17 _____, 2004

§
§
§

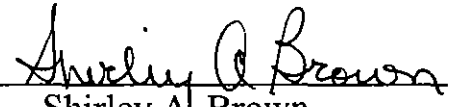


Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk