RULES FOR PUBLIC RIGHT OF WAY CLOSURES

Definitions
Defined terms used in these rules shall have the meanings assigned to them in City Code, Chapter 14-8 or as follows:

- **Beer Garden** means an enclosed area constructed by the applicant and approved by the City of Austin Fire Department, Police Department and Transportation Department where alcoholic beverage sales and consumption may occur for an Event.

- **Bubble** means a police escorted procession or march that utilizes either no or a limited number of Temporary Traffic Control Devices.

- **Complete Closure** means the complete closure of a public street to vehicular traffic in any direction.

- **Courtesy Advisory Notice** means an additional notice provided to Affected Persons when the Director determines that an Event requires additional notice to the public due to early processing of the Closure Permit application.

- **Director** means the director of the City of Austin Transportation Department or the director’s designee.

- **Event** means a Right-of-Way Event.

- **Moving Event** means an Event that includes a complete or partial closure of public streets, sidewalks or surrounding rights-of-way for a Parade or run that moves outside of its Venue Area.

- **Officer Controlled Intersection** means an intersection that is controlled by a law enforcement officer, where at intervals traffic may be permitted to cross a Complete Closure or Partial Closure.

- **Partial Closure** means the closure of a public street that maintains at least one lane for vehicular traffic in any direction.

- **Reasonable Access** means an Officer Controlled Intersection or at least one unobstructed route that the Director determines reasonably allows access in and out of
a geographic area which would otherwise not have access as a result of a Partial Closure or Complete Closure.

**Residential Area** means the part of any Closure Area consisting of single family and duplex housing units.

**Stationary Event** means a full or partial closure of public streets, sidewalks or surrounding rights-of-way that does not move outside of its Venue Area.

**TABC** means the Texas Alcoholic Beverage Commission, a Texas state agency.

**Temporary Traffic Control Device** means a Traffic Control Device temporarily used during an Event to facilitate road user movements.

**Traffic Control Device** means all signs, signals, markings, and other devices used to regulate, warn, or guide road users, placed on, over, or adjacent to a public street, highway, pedestrian facility or bikeway by authority of a public body or official having jurisdiction. By Texas State Law, a police officer is recognized as a traffic control device.

**Traffic Control Plan** means a plan prepared by persons knowledgeable in the fundamental principles of temporary traffic control, describing the activity location with existing conditions, areas to blocked or restricted, and the number, types and locations of each Temporary Traffic Control Device.

**Venue Area** means the location where a Moving Event or Stationary Event assembles or disassembles.

**Walking Event** means an Event composed solely of pedestrians that proceed using a Bubble.

### Article 1. Duties of Director

**Section 1.01** The Director will maintain a list of Events that are exempt from City Code, Section 14-8-15 (*Calculation of Signatures in Opposition to a Street Closure*).

**Section 1.02** The Director will provide applicants with information identifying each Residential Area affected by an Event.

**Section 1.03** For each written appeal of an Application that the Director denies based on objection by 20 percent or more of the Affected Persons on any block or a Neighborhood Association under City Code, Section 14-8-3(B)(3), the Director shall:
(A) Request each Affected Person or Neighborhood Association objecting to the Closure Permit to attend the Urban Transportation Commission public hearing scheduled to hear the appeal at least 7 business days prior to the date of the public hearing.

(B) Provide the Urban Transportation Commission copies of any information supplied to the Director concerning an objection under Section 1.03(A) of these Rules at least 5 business days prior to the date of the public hearing scheduled by the Urban Transportation Commission to hear the appeal.

(C) Provide a recommendation to the Urban Transportation Commission for action on the appeal.

Section 1.04 The Director will maintain a step by step timeline worksheet for each Event.

Section 1.05 The Director will determine whether a Courtesy Advisory Notice for an Event is necessary, and, if required, approve the method of notification.

Section 1.06 The Director may allow an Applicant to start the permitting process on the 364th day prior to the date of an Event.

Section 1.07 The following process shall be followed when preparing and sending a notice of proposed closure on a form prescribed by the Director for an Event required by City Code, Section 14-8-14 (Notice of Proposed Closure and Signature Requirement):

(A) Applicant shall identify each Partial Closure or Complete Closure in the Closure Area.

(B) The Director shall provide the Applicant a list of addresses of each Affected Person.

(C) The Applicant provides the Department a map of the Event route, a Director approved form and letter that includes a Department member e-mail address and business address, the time frame to voice concern about the Event, and specific information about the Event.

(D) The Applicant delivers unsealed, addressed and pre-stamped envelopes to the Director for verification purposes in order to ensure all Affected Persons are properly notified. For Applicant's using metered mail postage, no more than 300 envelopes may be delivered on any City work day and must be delivered prior to 10AM in order for the envelopes to be mailed on the same day.
(E) Once information has been verified by the Director, the Applicant will seal the pre-stamped envelopes in the Department’s office, and authorize the Director to mail the pre-stamped envelopes. The Director will deposit the envelopes in the U.S. Mail.

Section 1.08 For any Event the Director in writing may waive any rule or requirement under these Rules for Public Right-of-Way Closures. The Director will post all waiver actions on the City website.

Article 2. Moving Events

Section 2.01 For a Moving Event or one or more substantially simultaneous combinations of Events the following streets may not be completely closed or crossed at grade.
(A) 5th and 6th Streets, from Mopac to IH-35
(B) Lamar Boulevard from West 38th Street to Ben White Boulevard

Section 2.02 Two-way vehicular traffic must be maintained on Oltorf Street at all times.

Section 2.03 Moving Events must not prevent Reasonable Access to a geographic area which would otherwise not have access as a result of the Moving Event.

Section 2.04 No Moving Event is allowed Monday through Friday between the hours of 7AM-7PM, within the area bounded by Lamar Boulevard, IH 35, Oltorf Street and MLK Jr. Boulevard, unless it occurs on a City or State of Texas legal holiday.

Article 3. Stationary Events

Section 3.01 For a Stationary Event access must be maintained under the following conditions:

(A) The Lamar Boulevard from West 38th Street to Ben White Boulevard must not be occupied.

(B) East-West access must be maintained on at least two of the following streets:
   (1) Cesar Chavez Street, from Mopac to IH-35;
   (2) Fifth and Sixth Streets (as one-way paired streets); or
   (3) Eleventh Street.
(C) North-South access must be maintained on one of the following two alternatives between Riverside Dr. and 11th Street:
(1) Congress Avenue; or
(2) Guadalupe Street and Lavaca Street (as one-way paired streets).

(D) North-South access must be maintained on one of the following two alternatives between Cesar Chavez St. and Martin Luther King Jr. Boulevard.
(1) IH-35 Service Roads; or
(2) San Jacinto Boulevard and Brazos Street (as one-way paired streets).

(E) A Stationary Event must maintain Reasonable Access to parking facilities.

Article 4. Walking Events

Section 4.01 Unless authorized by the Director or the Director’s designee and the Chief of Police or the Chief’s designee, a Walking Event must utilize a Bubble for temporary traffic control.

Article 5. Event Coordination

Section 5.01 No Event or one or more substantially simultaneous combinations of Events may completely close the Ann W. Richards Congress Avenue Bridge and the Drake South First Street Bridge simultaneously.

Section 5.02 Upon submittal of application, applicant must provide proof, in a manner suitable to the Director, that Capital Metro was contacted to address bus routes, alternatives and various modes of transportation.

Section 5.03 An Applicant shall not be issued a Closure Permit for a Right-of-Way Event if it is within close geographic or time proximity to the location of another previously filed application for a Closure Permit or temporary change of use permit, unless the Director determines that sufficient separation between and accommodation of all the Right-of-Way Events and temporary change of use permit activities is available.

Article 6. Traffic Control Devices
Section 6.01 A Temporary Traffic Control Device must be pre-staged so that the most traveled public streets are closed last. The Traffic Control Plan must define priority streets and timeframes for their closing and re-opening.

Section 6.02 In areas of high volume roadway traffic during an Event, a Temporary Traffic Control Device must be removed from the active public street surface as soon as participant safety is not compromised.

Section 6.03 Unless approved by the Director, Temporary Traffic Control Devices must not be pre-staged more than 20 hours in advance of an Event.

Section 6.04 Prior to removal of any Temporary Traffic Control Device from the roadway, the last participant must have cleared the block.

Section 6.05 Upon conclusion of an Event, each Temporary Traffic Control Device must be removed in the manner required by the Director.

Section 6.06 A Temporary Traffic Control Device must not be placed on private property without written consent from the property owner.

Section 6.07 Any Temporary Traffic Control Device pre-staged in the public right-of-way before an Event must not be located on an active travel-way, a curb ramp or in a manner that reduces the usable width of a sidewalk to less than 5 feet.

Article 7. Guidelines for Temporary Alcohol Consumption During Street Events

Section 7.01 If alcoholic beverages are to be sold and a temporary permit has been obtained from TABC, a Beer Garden must be erected within a separate closure area.

Section 7.02 If a Beer Garden is erected, it must be constructed as a chain-linked type fence that is at least 6 feet high and once completed must remain enclosed for the duration of the Event except for designated entrances and exits. The exact location and number of entrances/exits will depend upon the size of the enclosed area, and shall be approved by the Austin Fire Department, Austin Police Department, and Austin Transportation Department.

Section 7.03 The serving areas within the Beer Garden must be positioned so as not to interfere or impede pedestrian traffic entering or exiting the enclosure.

Section 7.04 It is the applicants’ responsibility to maintain a count of patrons entering each Beer Garden. A specified number of patrons may be allowed
admittance and once the maximum number has been attained no additional patron may be allowed admittance to a Beer Garden without the same number having first exited the Beer Garden. The number of patrons allowed admittance to a Beer Garden is determined by a formula for occupancy by the City of Austin’s Fire Department.

Section 7.05 There must be at least one uniformed security officer positioned at each Beer Garden’s entrance and exit. Depending upon the size of the actual Street Closure, the applicant is also responsible for hiring at least two uniformed police officers which will be assigned to work the area outside a Beer Garden.

Section 7.06 All alcoholic beverages must be served in plastic or paper containers.

Section 7.07 Open consumption of alcohol is only permitted in a Beer Garden, and is prohibited in any other Closure Area of an Event.

Section 7.08 If at anytime the Applicant violates any alcoholic beverage related Laws/Ordinances, all sales of alcoholic beverages in any Beer Garden of the Event must stop immediately and any Beer Garden must be closed for the remainder of the Event’s permit time.

Section 7.09 The Chief of Police or the Chief’s designee may waive part of the provisions of this Article 7 upon presentation of satisfactory documentation.