

# Late Backup

#17  
2/11/2010

## ORDINANCE NO.

1 AN ORDINANCE AUTHORIZING 96-HOUR SOUND AMPLIFICATION  
2 PERMITS; WAIVING THE REQUIREMENTS OF CITY CODE SECTION 9-2-24  
3 RELATED TO PERMIT DURATION; AND DECLARING AN EMERGENCY.  
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5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
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7 **PART 1. REQUIREMENTS FOR 96-HOUR SOUND AMPLIFICATION**  
8 **PERMITS.** Notwithstanding the requirements of City Code Section 9-2-24 (*Duration of*  
9 *Permit*), the director may issue a sound amplification permit under Section 9-2-14  
10 (*Permit for Other Property*) for a duration of 96-hours subject to the following  
11 requirements:

- 12 (A) No more than one 96-hour sound amplification permit may be issued for the same  
13 site or property during a calendar year. If a 96-hour and a 24-hour permit are  
14 issued for the same site or property, the effective dates for the two permits must be  
15 at least 30-days apart.
- 16 (B) A 96-hour sound amplification permit may be issued no earlier than 14-days after  
17 the date the application is submitted.
- 18 (C) Within three (3) business days of receiving an application for a 96-hour sound  
19 amplification permit, the director shall provide notice of the address, date, and  
20 duration of the proposed event to:
- 21 (1) applicant;
- 22 (2) notice owner of a single-family use located within 600 feet of the site or  
23 property subject to the permit;
- 24 (3) notice owner of a multi-family use located adjacent to the site or property  
25 subject to the permit;
- 26 (4) registered neighborhood organization whose declared boundaries are within  
27 600 feet of the site or property subject to the permit; and
- 28 (5) appropriate City staff including, but not limited to the Austin Police  
29 Department, Special Events Unit; Transportation Department, Right of Way  
30 Management Division; and Austin Fire Department, Fire Marshall.

- 1 (D) Limitations imposed by City Code Chapter 9-2 (*Noise and Amplified Sound*) on the  
2 hours during which sound equipment may be operated apply regardless of the  
3 duration of a permit.
- 4 (E) This ordinance does not extend a right of administrative appeal to sound  
5 amplification permits under Section 9-2-14 (*Permit for Other Property*).
- 6 (F) A 96-hour sound amplification permit may not be issued for a site or property that  
7 is used as a parking lot unless the lot is leased by an adjacent commercial structure.  
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9 **PART 2. EXPIRATION.** This ordinance expires on June 30, 2010, at 11:59 p.m.

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11 **PART 3. EFFECTIVE DATE.** The city council finds that the requirements of City  
12 Code Chapter 9-2 (*Noise and Amplified Sound*) do not include adequate provisions for  
13 outdoor music events of limited duration, which play a vital role in the spring festival  
14 season, but also pose unique challenges for permitting and planning. Because of the  
15 upcoming festival season, the council finds that the absence of such requirements  
16 constitute an emergency. Accordingly, this ordinance takes effect immediately on its  
17 passage for the preservation of public peace, health, and safety.  
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19 **PASSED AND APPROVED**

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Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk