

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTERS 9-2 (*NOISE AND AMPLIFIED SOUND*) AND 9-4 (*PROHIBITED ACTIVITIES*) RELATING TO AUDIBLE NOISES AND MUSIC AND SOLICITATION.

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

PART 1. City Code Section 9-2-3 (*General Restrictions*) is amended to amend Subsection (A) to read as follows:

§ 9-2-3 GENERAL RESTRICTIONS.

(A) A person may not:

- (1) use or permit the use of sound equipment at a business in excess of the decibel limits prescribed by this chapter;
- (2) make noise or play a musical instrument that is plainly audible from the boundary line of the nearest [to an adjacent] business or residentially occupied property [residence]
 - (a) between 1:00 a.m. and 7:00 a.m. in the following areas
 - (i) 600 to 900 blocks of Red River Street;
 - (ii) Sixth Street District;
 - (iii) Warehouse District; or
 - (b) between 10:30 p.m. and 7:00 a.m. in all other areas of the City;
- (3) operate a machine that separates, gathers, grades, loads, or unloads sand, rock, or gravel within 600 feet of a residence, church, hospital, hotel, or motel between 7:00 p.m. and 6:00 a.m., except for the installation of concrete as authorized under Section 9-2-15 (*Permit for Concrete Installation During Non-Peak Hour Periods*);
- (4) use or authorize or allow the use of a vehicle, equipment, attachment, or device associated with a vehicle, for cold hold, refrigeration, or freezing of any consumable food or beverage product, including water in any form such as consumer ice or ice used to refrigerate food or beverage, between

1 7:00 p.m. and 6:00 a.m. if noise or sound originating from the vehicle or
2 any associated equipment (such as an engine or generator, equipment,
3 attachment, trailer or device) is audible or causes vibration at a residence;

4 (5) operate sound equipment in a vehicle audible or causing a vibration 30
5 feet from the equipment; or
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7 (5) operate sound equipment in a watercraft audible or causing a vibration
8 100 feet from the equipment.

9 **PART 2.** City Code Section 9-4-13 (*Solicitation Prohibited*) is amended to amend
10 Subsection (A) to read as follows:

11 **§ 9-4-13 SOLICIATION PROHIBITED.**

12 (A) A person commits an offense if the person solicits:

13 (1) in an aggressive manner in a public area;

14 (2) in a bus, at a bus station or stop, or at a facility operated by a
15 transportation authority for passengers;

16 (3) within 25 feet of:

17 (a) an automated teller facility;

18 (b) the entrance or exit of a bank; or

19 (c) the entrance or exit of a check cashing business; or

20 (4) at a marked crosswalk;

21 (5) on either side of the street on a block where a school attended by minors
22 or childcare facility has an entrance or exit;

23 (6) at a sidewalk café authorized under Chapter 14-4 (*Sidewalk Cafes*) or the
24 patio area of a bar or restaurant; [or]

25 (7) between 1:00 am and 7:00 am in the following areas:

26 (i) 600 to 900 blocks of Red River Street;

27 (ii) Sixth Street District as defined in Section 9-2-1 (*Definitions*); or

28 (iii) Warehouse District as defined in Section 9-2-1 (*Definitions*); or

1 (8) in the downtown business area described in Section 9-4-14 (*Sitting or*
2 *Lying Down on Public Sidewalks in the Downtown Business Area*
3 *Prohibited*) between 7:00 p.m. and 7:00 a.m..

4 **PART 3.** This ordinance takes effect on _____, 2014.

5 **PASSED AND APPROVED**

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9 _____, 2014

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10 _____
11 Lee Leffingwell
12 Mayor

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14 **APPROVED:** _____
15 Karen M. Kennard
16 City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk