

RESOLUTION NO.

WHEREAS, the Imagine Austin Comprehensive Plan and other City of Austin planning documents highlight the need to protect and enhance the quality of life for Austin residents.

WHEREAS, the City of Austin has developed a reputation as a world-class venue for music and other events;

WHEREAS, events are often accompanied by aerial advertising;

WHEREAS, aerial advertising causes disruptive noise for residents who live in Central city neighborhoods close to the parks and spaces that often host events;

WHEREAS, aerial advertising may also pose a safety hazard and contribute to poor air quality;

WHEREAS, unlike other noise sources, aerial advertising does not currently operate under regulations regarding sound;

WHEREAS, the Federal Aviation Authority Handbook acknowledges that state and local ordinances may prohibit or restrict banner tow operations;

WHEREAS, other local governments, such as the city of Honolulu, Hawaii, have enacted local ordinances prohibiting aerial advertising to protect and improve the appearance of treasured public spaces, parks, and landscapes and to prevent potentially dangerous aerial distractions of vehicular and pedestrian traffic; and

WHEREAS, the Honolulu ordinance was challenged twice in federal court but was upheld by the United States Court of Appeals for the Ninth Circuit; **NOW, THEREFORE**,

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

That the City Manager is directed to determine if any barriers at the local, state, or federal level would prevent Austin from enacting an ordinance restricting or prohibiting aerial advertising;

BE IT FURTHER RESOLVED:

That in the absence of legal barriers to doing so, the City Manager is directed to draft an ordinance for consideration by the City Council by August 29, 2013.

ADOPTED: _____, 2013

ATTEST: _____

Janette S. Goodall
City Clerk