



Standard Operating Procedure – Special Event Permit Denial Appeals Process

Effective Date: 12/28/2021

Purpose

The Special Events Ordinance lays out a requirement for a special event application denial appeal process in section 4-20-35. This standard operating procedure further details how that process will be administered and the roles of those involved.

Special Events Ordinance Language

§ 4-20-35 Appeal of Special Event Application Denial

- (A) If ACE denies a special event application, the event organizer may appeal the denial to the appeal team.
- (B) The event organizer must deliver an appeal to ACE no later than 10 business days after the event organizer is notified that the application was denied.
- (C) The appeal team must act on the appeal within 10 business days and may uphold or reverse the denial.
- (D) In considering the appeal, the appeal team shall apply the same criteria as ACE under Section 4-20-34 (Approval or Denial of Special Event Application).

Roles and Responsibilities

Austin Center for Events Staff

Any City staff member with the Austin Center for Events or partner departments that is made aware of a request for an appeal shall provide the applicant with instructions to appeal, or notify other ACE staff members to follow up with the applicant.

ACE staff that were involved with the initial review and denial of the special event application will recuse themselves from the appeals process.

An ACE or Development Services Department staff member will serve as the Appeals Coordinator. This assignment will be back-filled if the current appeals coordinator can no longer perform the duties and a notification will be sent to ACE staff and the Appeals Team members alerting them to who is now responsible.

Appeals Coordinator

The Appeals Coordinator will maintain the roster of the Appeals Team members and ensure replacements are installed as vacancies open. If the coordinator was involved in the initial review they will delegate another ACE or DSD staff member to be the Appeals Coordinator.



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The Appeals Coordinator is responsible for contacting the Appeals Team Members, scheduling the appeal meeting, ensuring timelines are met, and following up with the applicant.

Appeals Team Members

Appeals Team members will make themselves available within the 10-business day window of when the request for an appeal has been received to meet and render a decision. If the Team Member is unable to fulfill their duties, they will select a replacement within their department that outranks the ACE reviewer from their department that rendered the initial denial.

The current list of City departments with a Team Member are:

- Austin Fire Department
- Austin Police Department
- Austin Public Health
- Austin Transportation Department
- Austin – Travis County Emergency Medical Services
- Development Services Department
- Parks and Recreation Department

Applicant

The applicant must notify ACE of their request to appeal the denial of their special event application in writing.

Procedures

Denial of Special Event Application

City staff shall provide to the applicant, in writing, a letter stating an applicant's application has been denied. The letter will cite which subsection of the Special Events Ordinance the application fails to comply with and notify the applicant of their right to appeal.

Requesting an Appeal

Applicants that wish to appeal their application denial shall notify ACE staff of their request to appeal within 10 business days from the date of their denial letter. ACE staff will instruct the applicant to submit their request in writing so there is a record of appeal. Requests for an appeal can be sent to specialevents@austintexas.gov.

Processing the Appeal

The Appeals Coordinator will notify the Appeals Team of the appeal request and the deadline to return a decision, 10 business days from the date of the request to appeal letter. An appeal meeting will be scheduled, as soon as possible, with all Appeals Team Members attending. The



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appellant will have the opportunity to discuss the merit of their appeal and the Appeals Team will consider the reason for the initial denial and merits of the appeal, then render their decision in writing to the Appeals Coordinator.

Notification of Decision

The Appeal Coordinator will provide the appellant with a written decision from the Appeals Team within 10 business days after receiving the written request for appeal. Appeal decisions are final.

In the instance that an event is less than 10 business days out, City staff will make every effort to expedite the appeal process but cannot guarantee a decision will have been rendered by that time. It is incumbent on applicants to submit special event applications within established deadlines based on the Tier of their event and for City staff to review applications and provide denial letters in a timely manner.