



36 (2) has received a violation or changed its character, nature, location or  
37 route. [requires a closure permit under Chapter 14-8 (*Temporary*  
38 *Closure for Special Events and Block Parties*).]

39 (D) Except as provided in Subsection (D), an event organizer for a Tier 3 and  
40 Tier 4 special event that requires a street closure permit under Chapter 14-8  
41 (*Temporary Closure for Special Events and Block Parties*) shall provide  
42 notice as required in Subsection (A) and provide notice to interested persons  
43 and neighborhood associations at least 30 days prior to the start of the  
44 special event if the special event:

45 (1) has been held for five or more years; and

46 (2) has not received a violation or changed its character, nature, location,  
47 or route.

48 (E[~~D~~]) An event organizer may provide the notice required in by this section  
49 [~~Subsections (A) and (C)~~] in one document.

50 **PART 4.** City Code Section 4-20-43 (*Sound Equipment for Outdoor Special Event*  
51 *Venues*) is amended to read as follows:

52 (A) In this section, an outdoor special event venue is a venue that is not fully  
53 enclosed by permanent, solid walls, and roof.

54 (B) Except as provided by Subsection (C), the use of sound equipment is  
55 prohibited at an outdoor special event venue.

56 (C) Sound equipment may be used at an outdoor special event venue only if  
57 approved by ACE.

58 (D) An outdoor special event venue located on parkland is not subject to  
59 Subsections (E) and (G) through (L). An outdoor special event venue in a  
60 right-of-way closure area is not subject to Subsections (F) through (L).

61 (E) ACE may approve the use of sound equipment in a right-of-way closure area  
62 between 6:00 a.m. and 12:00 midnight.

63 (F) ACE may approve the use of sound equipment at an outdoor special event  
64 venue that is located on parkland:

65 (1) between 10:00 a.m. and 10:00 p.m. or 11:00 p.m. for use on a  
66 permanently constructed bandstand; or

- 67 (2) within the Grove Planned Unit Development, generally located at the  
68 intersection of Bull Creek Road and West 45th Street, between 10:00  
69 a.m.
- 70 (a) and 9:00 p.m. Sunday through Thursday; or
- 71 (b) and 9:30 p.m. Friday, Saturday, or a national holiday.
- 72 (G) Unless Subsections (E[~~F~~]) or (F[~~G~~]) apply, ACE may approve the use of  
73 sound equipment between 10:00 a.m. and:
- 74 (1) 10:30 p.m. Sunday through Wednesday; or
- 75 (2) 11:00 p.m. on Thursday or Independence Day if that holiday occurs  
76 on a Sunday through Wednesday; or
- 77 (3) 12:00 midnight on:
- 78 (a) Friday,
- 79 (b) Saturday, or
- 80 (c) the night before New Years' Day, Memorial Day, Independence  
81 Day, or Labor Day.
- 82 (H) ACE may approve the use of sound equipment between 10:00 a.m. and 2:00  
83 a.m. every day if the special event will occur at a special event venue that is  
84 located within the Warehouse District or Sixth Street District; and  
85 anticipates 600 or fewer attendees.
- 86 (I) ACE may approve the use of sound equipment between 10:00 a.m. and 2:00  
87 a.m. during Spring Festival Season.
- 88 (J) ACE may approve the use of sound equipment at a premises for no more  
89 than four consecutive days or non-consecutive days during a 30-day period.  
90 The 30-day period begins the day after the first day that sound equipment is  
91 approved to be used at a special event.
- 92 [~~(K) A premises may be the subject of only one approval to use sound equipment~~  
93 ~~at a special event during a 30-day period, which begins the day after the~~  
94 ~~approval associated with the premises expires.]~~
- 95 (~~K~~[~~E~~]) The City will only allow a premises to be the subject of an approval to use  
96 sound equipment at a special event for up to 19 days per calendar year.

97 (L[M]) ACE may not approve the use of sound equipment that causes sound to  
98 exceed 85 "A"-weighted decibels.

99 (M[N]) A sound impact plan is required and must be approved by ACE. The  
100 elements of a sound impact plan include:

- 101 (1) sound-mitigating design features;
- 102 (2) prescribed decibel limits;
- 103 (3) operating hours for sound equipment;
- 104 (4) use of decibel meters or sentinels on site;
- 105 (5) contact information for the individual responsible for operating the  
106 sound equipment during the special event; and
- 107 (6) any other elements required by ACE.

108 (N[Θ]) If ACE approves the use of sound equipment during a special event, the  
109 following applies:

- 110 (1) a person may not operate sound equipment to cause sound that  
111 exceeds the decibel limit established by ACE in the applicable sound  
112 impact plan; and
- 113 (2) an event organizer must require an individual to be present and  
114 responsible for operating sound equipment during the operating hours  
115 for the special event.

116 **PART 5.** Subsection (E) of City Code Section 14-8-28 (*Approval of a Permit*) is  
117 amended to read as follows:

- 118 (E) A special event that has been held for 5 [~~10~~] or more years and has not  
119 received a violation or changed its character, nature, location, or route shall  
120 be approved under Subsection (A).

121 **PART 6.** City Council directs the City Manager to collect data on Tier 3 and Tier 4  
122 events and publish the data available within sixty days after the final day of the special  
123 event. The data may include the following:

- 124 (1) Event history, including how many years the special event has existed and  
125 the year it was established;

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- (2) Name of the event organizer and any associated production companies if used;
- (3) Time of the special event, including days and time of the day;
- (4) Length of the special event;
- (5) If the special event required neighborhood barricades;
- (6) Information regarding the use of any road closures including set-up/take-down time;
- (7) Whether the special event was free or required a ticket purchase;
- (8) Whether the special event used amplified sounds;
- (9) Whether a parking plan was required;
- (10) Whether alcohol was served;
- (11) Information on the City resources required to support operation of the special event; and
- (12) Information on any 311 complaints related to the special event.

**PART 7.** This ordinance takes effect on \_\_\_\_\_, 2023.

**PASSED AND APPROVED**

\_\_\_\_\_ §  
 \_\_\_\_\_ §  
 \_\_\_\_\_, 2023 §

Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_

Myrna Rios  
City Clerk