

RULES FOR PUBLIC RIGHT OF WAY CLOSURES

Definitions

Defined terms used in these rules shall have the meanings assigned to them in City Code, Chapter 14-8 or as follows:

Beer Garden means an enclosed area constructed by the applicant and approved by the City of Austin Fire Department, Police Department and Transportation Department where alcoholic beverage sales and consumption may occur for an Event.

Bubble means a police escorted procession or march that utilizes either no or a limited number of Temporary Traffic Control Devices.

Complete Closure means the complete closure of a public street to vehicular traffic in any direction.

Courtesy Advisory Notice means an additional notice provided to Affected Persons when the Director determines that an Event requires additional notice to the public due to early processing of the Closure Permit application.

Director means the director of the City of Austin Transportation Department or the director's designee.

Event means a Right-of-Way Event.

Moving Event means an Event that includes a complete or partial closure of public streets, sidewalks or surrounding rights-of-way for a Parade or run that moves outside of its Venue Area.

Officer Controlled Intersection means an intersection that is controlled by a law enforcement officer, where at intervals traffic may be permitted to cross a Complete Closure or Partial Closure.

Partial Closure means the closure of a public street that maintains at least one lane for vehicular traffic in any direction.

Reasonable Access means an Officer Controlled Intersection or at least one unobstructed route that the Director determines reasonably allows access in and out of

1 a geographic area which would otherwise not have access as a result of a Partial
2 Closure or Complete Closure.

3
4 **Residential Area** means the part of any Closure Area consisting of single family and
5 duplex housing units.

6
7 **Stationary Event** means a full or partial closure of public streets, sidewalks or
8 surrounding rights-of-way that does not move outside of its Venue Area.

9
10 **TABC** means the Texas Alcoholic Beverage Commission, a Texas state agency.

11
12 **Temporary Traffic Control Device** means a Traffic Control Device temporarily used
13 during an Event to facilitate road user movements.

14
15 **Traffic Control Device** means all signs, signals, markings, and other devices used to
16 regulate, warn, or guide road users, placed on, over, or adjacent to a public street,
17 highway, pedestrian facility or bikeway by authority of a public body or official having
18 jurisdiction. By Texas State Law, a police officer is recognized as a traffic control
19 device.

20
21 **Traffic Control Plan** means a plan prepared by persons knowledgeable in the
22 fundamental principles of temporary traffic control, describing the activity location with
23 existing conditions, areas to be blocked or restricted, and the number, types and locations
24 of each Temporary Traffic Control Device.

25
26 **Venue Area** means the location where a Moving Event or Stationary Event assembles
27 or disassembles.

28
29 **Walking Event** means an Event composed solely of pedestrians that proceed using a
30 Bubble.

31 32 **Article 1. Duties of Director**

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34 **Section 1.01** The Director will maintain a list of Events that are exempt from City Code,
35 Section 14-8-15 (*Calculation of Signatures in Opposition to a Street*
36 *Closure*).

37
38 **Section 1.02** The Director will provide applicants with information identifying each
39 Residential Area affected by an Event.

40
41 **Section 1.03** For each written appeal of an Application that the Director denies based
42 on objection by 20 percent or more of the Affected Persons on any block
43 or a Neighborhood Association under City Code, Section 14-8-3(B)(3), the
44 Director shall:
45

1 (A) Request each Affected Person or Neighborhood Association
2 objecting to the Closure Permit to attend the Urban Transportation
3 Commission public hearing scheduled to hear the appeal at least 7
4 business days prior to the date of the public hearing.
5

6 (B) Provide the Urban Transportation Commission copies of any
7 information supplied to the Director concerning an objection under Section
8 1.03(A) of these Rules at least 5 business days prior to the date of the
9 public hearing scheduled by the Urban Transportation Commission to hear
10 the appeal.
11

12 (C) Provide a recommendation to the Urban Transportation
13 Commission for action on the appeal.
14

15 **Section 1.04** The Director will maintain a step by step timeline worksheet for each
16 Event.
17

18 **Section 1.05** The Director will determine whether a Courtesy Advisory Notice for an
19 Event is necessary, and, if required, approve the method of notification.
20

21 **Section 1.06** The Director may allow an Applicant to start the permitting process on the
22 364th day prior to the date of an Event.
23

24 **Section 1.07** The following process shall be followed when preparing and sending a
25 notice of proposed closure on a form prescribed by the Director for an
26 Event required by City Code, Section 14-8-14 (*Notice of Proposed Closure*
27 *and Signature Requirement*):
28

29 (A) Applicant shall identify each Partial Closure or Complete Closure in
30 the Closure Area.
31

32 (B) The Director shall provide the Applicant a list of addresses of each
33 Affected Person.
34

35 (C) The Applicant provides the Department a map of the Event route, a
36 Director approved form and letter that includes a Department member e-
37 mail address and business address, the time frame to voice concern about
38 the Event, and specific information about the Event.
39

40 (D) The Applicant delivers unsealed, addressed and pre-stamped
41 envelopes to the Director for verification purposes in order to ensure all
42 Affected Persons are properly notified. For Applicant's using metered mail
43 postage, no more than 300 envelopes may be delivered on any City work
44 day and must be delivered prior to 10AM in order for the envelopes to be
45 mailed on the same day.
46

1 (E) Once information has been verified by the Director, the Applicant
2 will seal the pre-stamped envelopes in the Department's office, and
3 authorize the Director to mail the pre-stamped envelopes. The Director
4 will deposit the envelopes in the U.S. Mail.
5

6 **Section 1.08** For any Event the Director in writing may waive any rule or requirement
7 under these Rules for Public Right-of-Way Closures. The Director will
8 post all waiver actions on the City website.
9

10 **Article 2. Moving Events**

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12 **Section 2.01** For a Moving Event or one or more substantially simultaneous
13 combinations of Events the following streets may not be completely closed
14 or crossed at grade.

15 (A) 5th and 6th Streets, from Mopac to IH-35

16 (B) Lamar Boulevard from West 38th Street to Ben White Boulevard
17

18 **Section 2.02** Two-way vehicular traffic must be maintained on Oltorf Street at all times.
19

20 **Section 2.03** Moving Events must not prevent Reasonable Access to a geographic area
21 which would otherwise not have access as a result of the Moving Event.
22

23 **Section 2.04** No Moving Event is allowed Monday through Friday between the hours of
24 7AM-7PM, within the area bounded by Lamar Boulevard, IH 35, Oltorf
25 Street and MLK Jr. Boulevard, unless it occurs on a City or State of Texas
26 legal holiday.
27

28 **Article 3. Stationary Events**

29
30 **Section 3.01** For a Stationary Event access must be maintained under the following
31 conditions:
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33 (A) The Lamar Boulevard from West 38th Street to Ben White
34 Boulevard must not be occupied.
35

36 (B) East-West access must be maintained on at least two of the
37 following streets:

38 (1) Cesar Chavez Street, from Mopac to IH-35;

39 (2) Fifth and Sixth Streets (as one-way paired streets); or

40 (3) Eleventh Street.
41

- 1 (C) North-South access must be maintained on one of the following two
2 alternatives between Riverside Dr. and 11th Street :
3 (1) Congress Avenue; or
4 (2) Guadalupe Street and Lavaca Street (as one-way paired
5 streets).
6
- 7 (D) North-South access must be maintained on one of the following two
8 alternatives between Cesar Chavez St. and Martin Luther King Jr.
9 Boulevard.
10 (1) IH-35 Service Roads; or
11 (2) San Jacinto Boulevard and Brazos Street (as one-way
12 paired streets).
13
- 14 (E) A Stationary Event must maintain Reasonable Access to parking
15 facilities.
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17 **Article 4. Walking Events**

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19 **Section 4.01** Unless authorized by the Director or the Director's designee and the Chief
20 of Police or the Chief's designee, a Walking Event must utilize a Bubble
21 for temporary traffic control.
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23 **Article 5. Event Coordination**

24
25 **Section 5.01** No Event or one or more substantially simultaneous combinations of
26 Events may completely close the Ann W. Richards Congress Avenue
27 Bridge and the Drake South First Street Bridge simultaneously.
28

29 **Section 5.02** Upon submittal of application, applicant must provide proof, in a manner
30 suitable to the Director, that Capital Metro was contacted to address bus
31 routes, alternatives and various modes of transportation.
32

33 **Section 5.03** An Applicant shall not be issued a Closure Permit for a Right-of-Way
34 Event if it is within close geographic or time proximity to the location of
35 another previously filed application for a Closure Permit or temporary
36 change of use permit, unless the Director determines that sufficient
37 separation between and accommodation of all the Right-of-Way Events
38 and temporary change of use permit activities is available.
39

40 **Article 6. Traffic Control Devices**

1 **Section 6.01** A Temporary Traffic Control Device must be pre-staged so that the most
2 traveled public streets are closed last. The Traffic Control Plan must
3 define priority streets and timeframes for their closing and re-opening.
4

5 **Section 6.02** In areas of high volume roadway traffic during an Event, a Temporary
6 Traffic Control Device must be removed from the active public street
7 surface as soon as participant safety is not compromised.
8

9 **Section 6.03** Unless approved by the Director, Temporary Traffic Control Devices must
10 not be pre-staged more than 20 hours in advance of an Event.
11

12 **Section 6.04** Prior to removal of any Temporary Traffic Control Device from the
13 roadway, the last participant must have cleared the block.
14

15 **Section 6.05** Upon conclusion of an Event, each Temporary Traffic Control Device must
16 be removed in the manner required by the Director.
17

18 **Section 6.06** A Temporary Traffic Control Device must not be placed on private
19 property without written consent from the property owner.
20

21 **Section 6.07** Any Temporary Traffic Control Device pre-staged in the public right-of-way
22 before an Event must not be located on an active travel-way, a curb ramp
23 or in a manner that reduces the usable width of a sidewalk to less than 5
24 feet.
25

26 **Article 7. Guidelines for Temporary Alcohol Consumption** 27 **During Street Events** 28

29 **Section 7.01** If alcoholic beverages are to be sold and a temporary permit has been
30 obtained from TABC, a Beer Garden must be erected within a separate
31 closure area.
32

33 **Section 7.02** If a Beer Garden is erected, it must be constructed as a chain-linked type
34 fence that is at least 6 feet high and once completed must remain
35 enclosed for the duration of the Event except for designated entrances
36 and exits. The exact location and number of entrances/exits will be
37 depend upon the size of the enclosed area, and shall be approved by the
38 Austin Fire Department, Austin Police Department, and Austin
39 Transportation Department.
40

41 **Section 7.03** The serving areas within the Beer Garden must be positioned so as not to
42 interfere or impede pedestrian traffic entering or exiting the enclosure.
43

44 **Section 7.04** It is the applicants' responsibility to maintain a count of patrons entering
45 each Beer Garden. A specified number of patrons may be allowed

1 admittance and once the maximum number has been attained no
2 additional patron may be allowed admittance to a Beer Garden without the
3 same number having first exited the Beer Garden. The number of patrons
4 allowed admittance to a Beer Garden is determined by a formula for
5 occupancy by the City of Austin's Fire Department.
6

7 **Section 7.05** There must be at least one uniformed security officer positioned at each
8 Beer Garden's entrance and exit. Depending upon the size of the actual
9 Street Closure, the applicant is also responsible for hiring at least two
10 uniformed police officers which will be assigned to work the area outside a
11 Beer Garden.
12

13 **Section 7.06** All alcoholic beverages must be served in plastic or paper containers.
14

15 **Section 7.07** Open consumption of alcohol is only permitted in a Beer Garden, and is
16 prohibited in any other Closure Area of an Event.
17

18 **Section 7.08** If at anytime the Applicant violates any alcoholic beverage related
19 Laws/Ordinances, all sales of alcoholic beverages in any Beer Garden of
20 the Event must stop immediately and any Beer Garden must be closed for
21 the remainder of the Event's permit time.
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23 **Section 7.09** The Chief of Police or the Chief's designee may waive part of the
24 provisions of this Article 7 upon presentation of satisfactory
25 documentation.
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