

# Noise Ordinance Presentation



**City Council Meeting**  
**August 20, 2019**

# GOALS

**Standardize hours & sound levels**

**Make definitions easier to understand**

**Clarify rules for when/how a citation may be issued**

**Update Prohibitions & Exceptions**

**Revise Permit Process**

**Clarify Owner/Occupant Responsibility**

**Add Appeal Process**

**SOUND LEVEL MAXIMUMS  
& MINIMUMS STAYED  
THE SAME**

# DECIBEL READINGS

## (Downtown)

Sunday-Thursday		Friday-Saturday	
7 a.m. to 11 p.m.	75 dB(A)	7 a.m. to 12 a.m.	75 dB(A)
11 p.m. to 7 a.m.	65 dB(A)	12 a.m. to 2 a.m.	70 dB(A)
		2 a.m. to 7 a.m.	65 dB(A)

## (Residential)

Sunday-Thursday		Friday-Saturday	
7 a.m. to 11 p.m.	65 dB(A)	7 a.m. to 12 a.m.	65 dB(A)
11 p.m. to 7 a.m.	55 dB(A)	12 a.m. to 7 a.m.	55 dB(A)

## (Commercial/Industrial)

Sunday-Thursday		Friday-Saturday	
7 a.m. to 11 p.m.	75 dB(A)	7 a.m. to 12 a.m.	75 dB(A)
11 p.m. to 7:00 a.m.	70 dB(A)	12 a.m. to 7 a.m.	70 dB(A)

# ENTERTAINMENT RESTRICTIONS

## (Commercial Entertainment)

Sunday-Thursday		Friday-Saturday	
7:00 a.m. to 11:00 p.m.	Cannot be plainly audible 66 ft from source	7:00 a.m. to 12:00 a.m.	Cannot be plainly audible 66 ft from source
11:00 a.m. to 7:00 a.m.		12:00 a.m. to 7:00 a.m.	
7:00 a.m. to 11:00 p.m.	Cannot be plainly audible in a structure not the source of the noise	7:00 a.m. to 12:00 a.m.	Cannot be plainly audible in a structure not the source of the noise

## (Outdoor Entertainment)

May not exceed designated sound levels at any point 100 feet from the sound and boundary line of premises from which the sound originates.

# MAXIMUM SOUND LEVEL READINGS

## (Downtown/CBD)

7:00 a.m. to Midnight

75 dB(A)

Midnight to 7:00 a.m.

65 dB(A)

## (Residential)

7:00 a.m. to Midnight

65 dB(A)

Midnight to 7:00 a.m.

55 dB(A)

## (Commercial/Industrial)

7:00 a.m. to Midnight

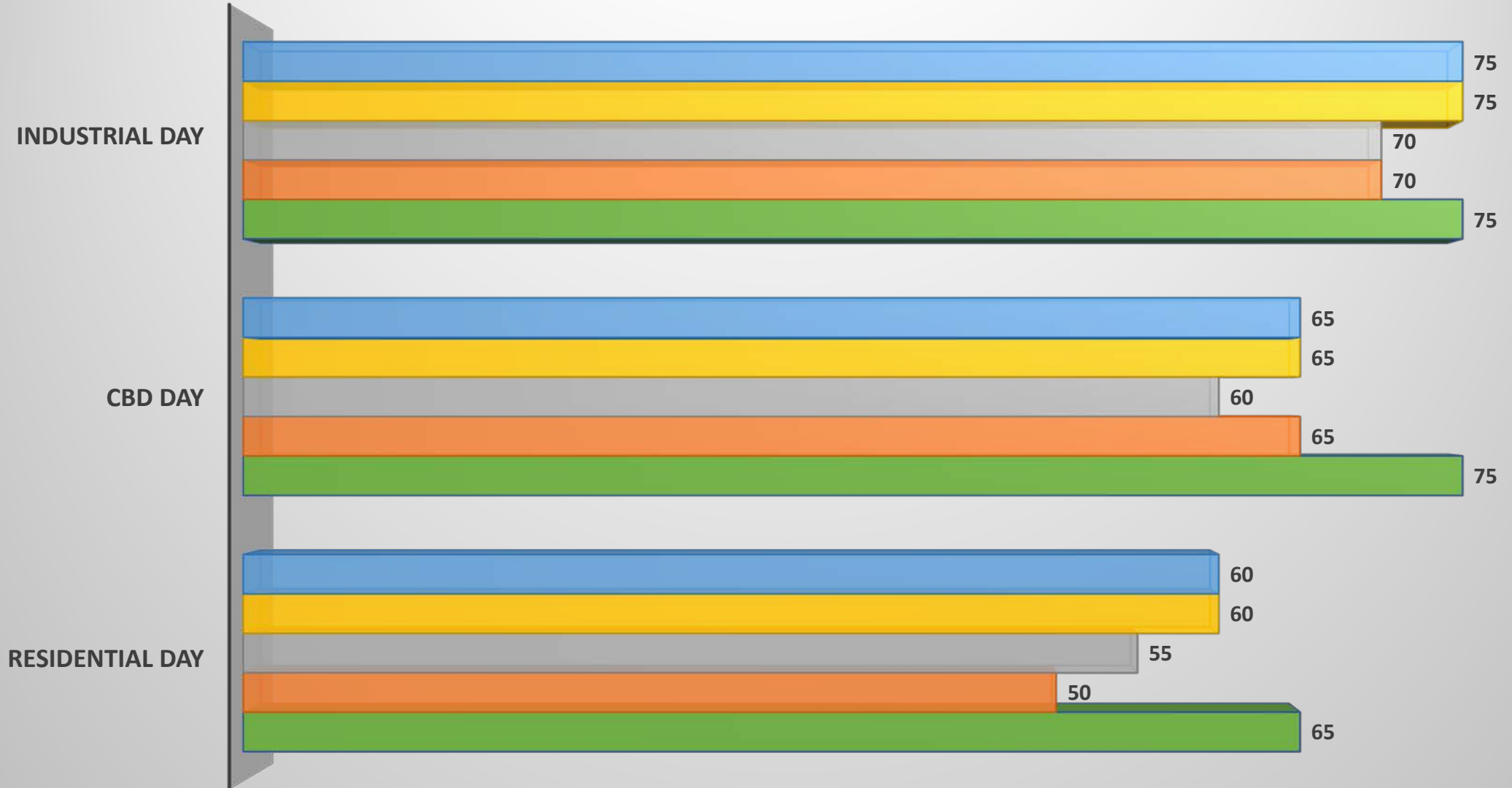
75 dB(A)

Midnight to 7:00 a.m.

70 dB(A)

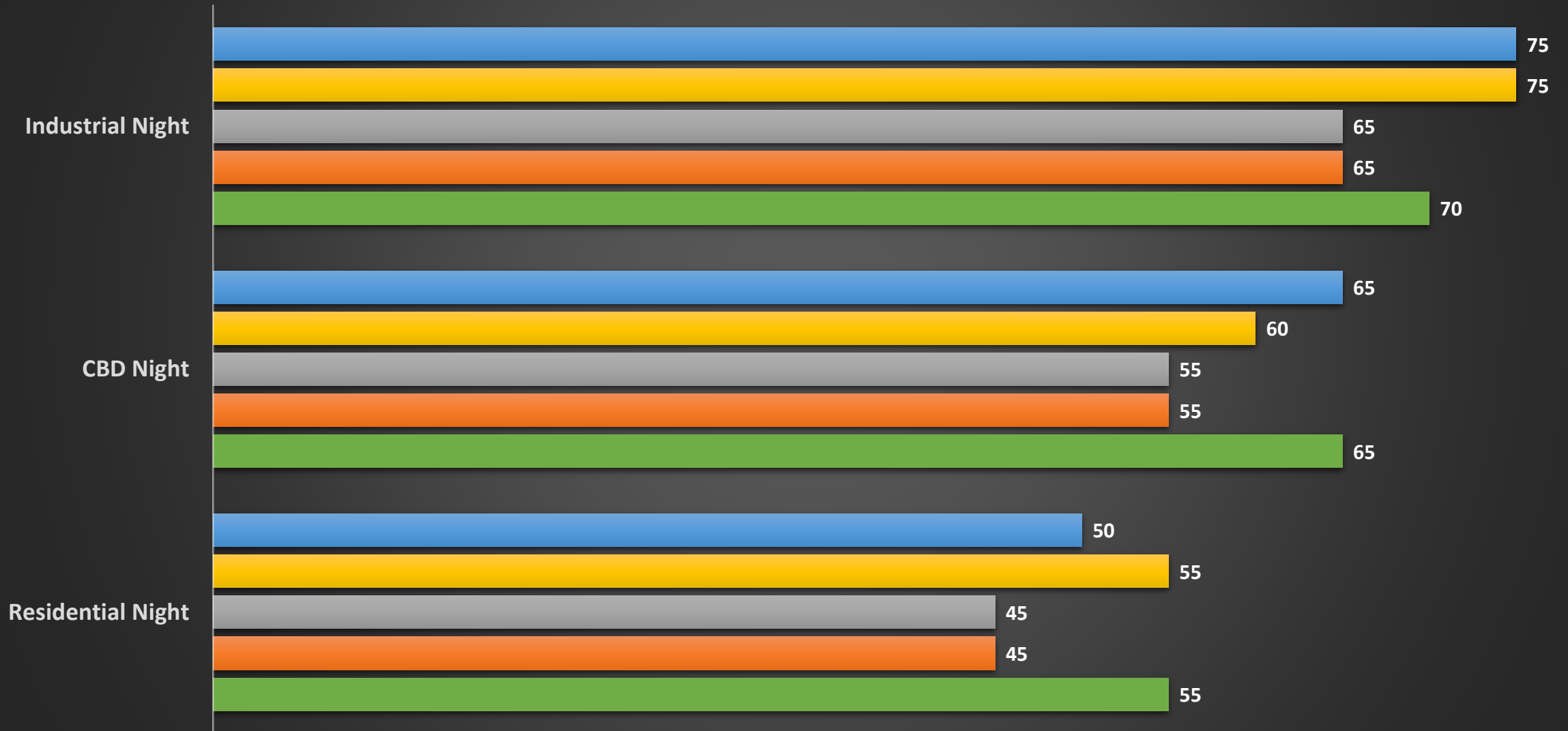
# Day dB Comparisons

Savannah Greenville Raleigh Chapel Hill Wilmington



# Night dB Comparisons

Savannah Greenville Raleigh Chapel Hill Wilmington



**3 NEW  
SOUND LEVEL METERS HAVE  
ARRIVED !!!**



# NOISE INCIDENTS

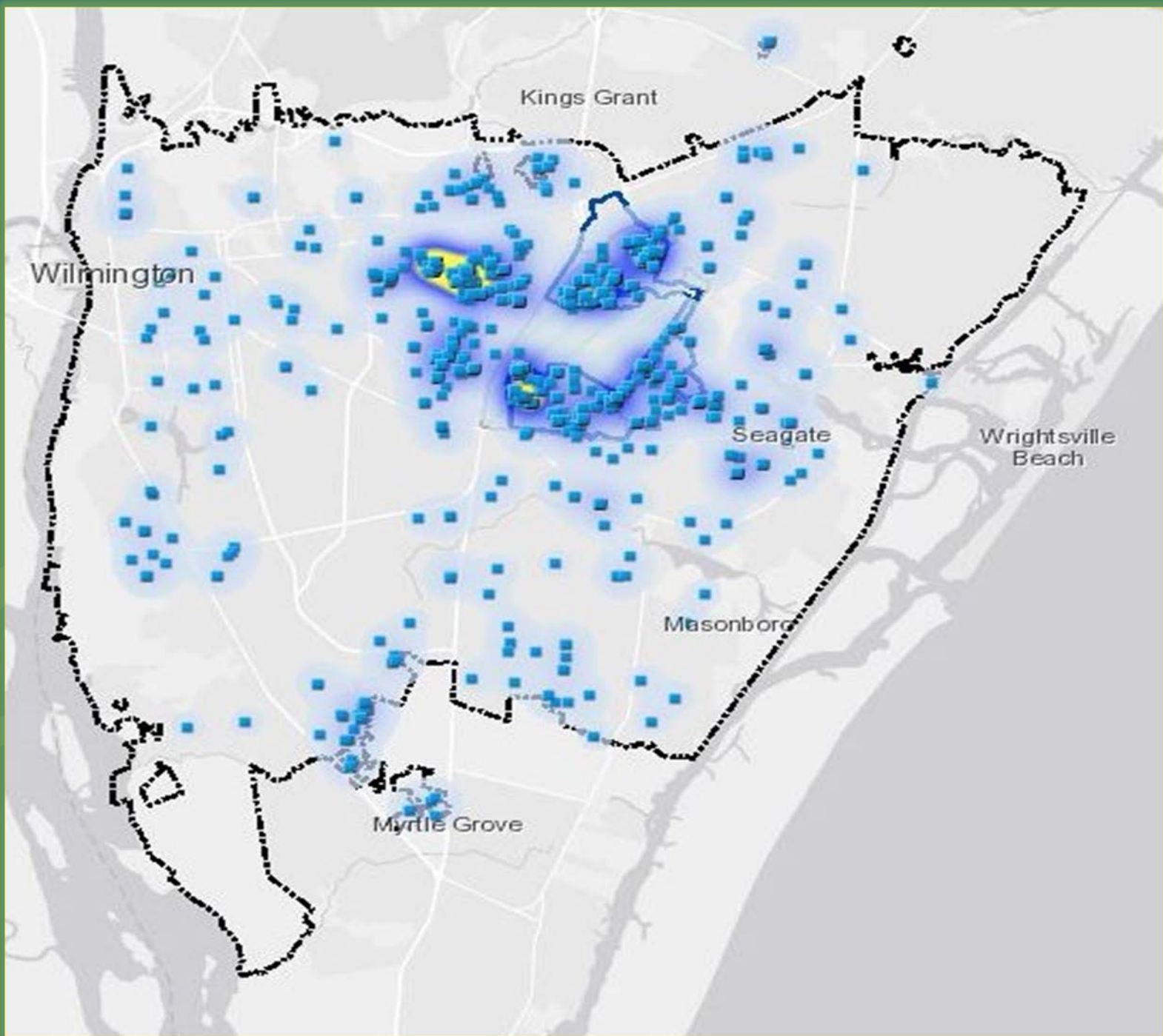
January, 2017 - July, 2019

2017 – 523

2018 – 406

2019 – 164

Total – 1,093



# NOISE VIOLATION DETERMINATION PROCESS

***BOTH CURRENT & NEW* versions allow officer to cite WITHOUT a sound meter but CURRENT provides no real guidance**

**NEW version adds 12 factors for officer to consider before citing without a sound level meter – MORE objective than CURRENT**

**NEW version clarifies that measurement is made at complaining property**



## PROHIBITIONS & EXCEPTIONS



**NO lawnmowers/power tools outside at night**

**NO garbage collection in residential areas at night**

**NO non-govt construction in residential & downtown areas at night**

**YES to necessary business equipment, if certain conditions met**

**YES to outdoor athletic events & events at City venues during the day**

# PROPOSED PERMITTING PROCESS

**Permit ONLY for activity that EXCEEDS or should be REASONABLY EXPECTED to exceed sound levels OR time limits**

**More reasonable appeal process for denial of permit**

**One permit for up to thirty (30) events w/in 1 yr of each other**

**Ten (10) factors that must be considered to grant/deny a permit**

**No requirement to notify adjoining property owners**

# CHANGES TO OWNER/OCCUPANT RESPONSIBILITY

**ALL responsible persons PRESENT should be listed on the same citation & NOT cited separately**

**Property owners liable for third+ violations of tenants, guests, or licensees, after being noticed**

**Clarifies when fines can be escalated**

# PROPOSED APPEAL PROCESS

Appeals filed within ten (10) days with Police Chief

Penalty stayed during appeal period

Chief shall issue written determination within ten (10) working days

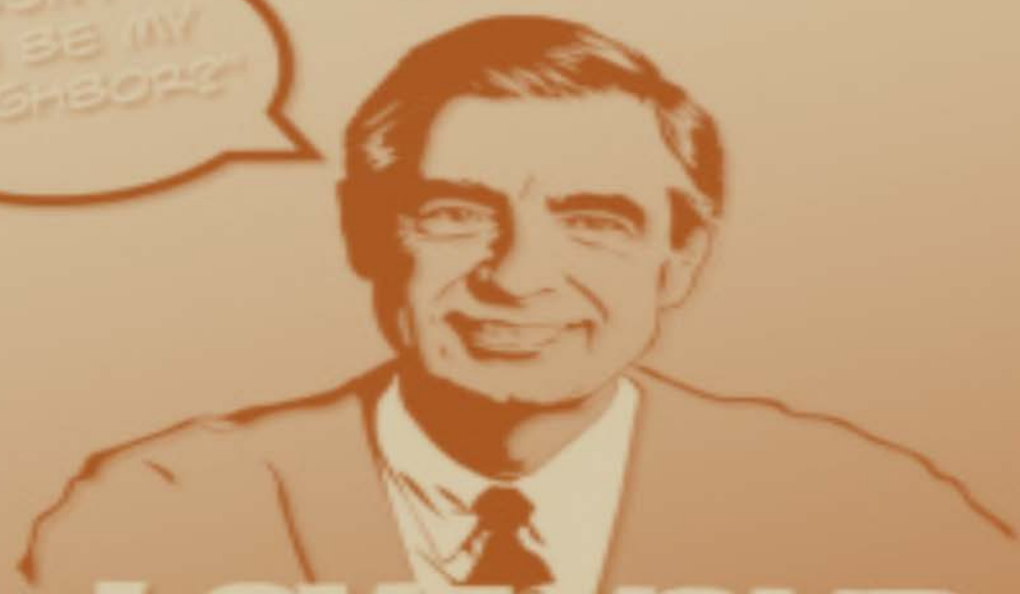
Appellant can appeal Chief's decision to Superior Court



# IN CLOSING...

- ❖ **Effective date of October 1, 2019**
  - **IT can get the forms for permits & appeals online**
  - **Public/businesses have time to get permits**
  - **WPD will order citation books**
  - **City Attorney's Office will conduct training of WPD officers**

"WON'T  
YOU BE MY  
NEIGHBOR?"



**LOVE YOUR  
NEIGHBOR  
AS YOURSELF**







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