

Staff Report

To: SBD Board
From: Carrie Gartner
Date: October 4, 2009
Re: Noise Ordinance Committee

Summary

The Noise Committee reviewed the second draft of the proposed noise ordinance and came to the following conclusions:

1. This ordinance would not solve the Shiloh problem, the issue that initiated this effort.
2. Simply changing the distance or the hours is not sufficient to address the issue.
3. There are some key approaches that would help strike a better balance between different constituencies (ie, weekend hours, mediation, etc.).

Overall, the Committee was not able to offer their endorsement for the ordinance as written, although they support efforts to better address the question of noise.

Specific Comments

- 1) Clarify the definition of "plainly audible?" What is the difference between ambient noise and problematic noise? How does that apply to words? Music without words? Noises? How does it distinguish between noises heard standing outside and standing inside (the latter being more of a problem)? If that is unclear, following the rule itself becomes difficult.
- 2) Consider using decibel levels as an additional measuring tool, and provide some way a person could self-monitor that level. A noise meter could be used or some simpler procedure.
- 3) Make the ordinance city-wide. Consider revision of current ordinance rather than the creation of a completely new (and untested) ordinance for downtown. We don't want to discourage business--be it entertainment or residential development--by introducing different rules for downtown.
- 4) Determine how any proposal affects other types of noise--such as construction noise. Is this different than music or voices? We want to encourage development and how do we ensure that happens while still maintaining a livable, workable downtown during the construction process.

5) Allow anyone to make a noise complaint, not just a resident. Also, police should be able to quiet down activities without a complaint (pro-active v. reactive).

6) Review the outcomes of any ordinance carefully to ensure that the needs of all downtown groups are addressed and that any changes will not lead to the future expansion of one group at the expense of others. The goal is a diverse downtown with bars, festivals, residents, office workers, etc. Other cities have managed to strike a balance between needs, how is that accomplished?

7) Consider Friday/Saturday rules that give bars and restaurants more leeway on weekends while giving residents more protection on week nights.

8) Suggest mediation as part of the process. Often, noise is only a part of the problem and mediation could help the parties develop a comprehensive solution that addresses noise, crowds, trash, etc.