



CITY OF FORT LAUDERDALE

**MEETING MINUTES  
CITY OF FORT LAUDERDALE  
NOISE CONTROL ADVISORY COMMITTEE (NCAC)  
100 N. ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
TUESDAY, APRIL 26, 2022 – 1:00 P.M.**

**July 2021 – June 2022**

**Attendance**

Eugenia “Genia” Ellis, Chair	P	3	0
Jacquelyn Scott, Vice-Chair	P	3	0
Ralph Stone (Arrived at 2:03)	P	3	0
Rocco Ferrara	P	3	0
Steven Hudson	P	2	1
Chad McCoury	P	3	0
Dev Motwani [Arrived at 1:05 p.m.]	P	3	0
Miquel Pilgram	P	2	1
Tim Petrillo	P	3	0
Renee Quinn	P	3	0

**Call to Order & Determination of Quorum**

Chair Ellis called the meeting to order at 1:00 P.M.

Roll was called and a quorum was present.

**Staff**

- Greg Chavarria, Assistant City Manager and Liaison
- Porshia Williams, Assistant Director, Development Services Department
- Stephanie Bass, Code Compliance Supervisor
- Sarah Hannah-Spurlock, Nighttime Economy Manager
- Donna Varisco, Executive Assistant to the City Manager
- Carolyn Bean, Parks and Recreation
- Brittany Henry, Parks and Recreation
- Alain E. Boileau, City Attorney
- Anthony Fajardo, Development Services Department Director
- Major Victor London, Chief’s Executive Officer, FLPD
- Major Bill Schultz, FLPD
- Captain Timothy McCarthy, FLPD

**Others**

- Bill Brown, Central Beach Alliance
- Doug Eagon, Resident
- Carla Blair, Recording Secretary, Prototype-Inc.

### **Approval of the February 22, 2022, Meeting Minutes**

A **motion** was made by Ms. Scott, seconded by Ms. Quinn, to approve the February 22, 2022, meeting minutes. In a voice vote, the **motion passed** unanimously (8-0).

### **New Business**

- **Special Events**

Chair Ellis introduced Carolyn Bean and Brittany Henry from Parks and Recreation. She noted the Advisory Committee engaged in a discussion at the previous meeting about noise as it relates to Special Events.

Mr. McCoury asked about the process to vet a Special Event.

Ms. Bean described the application process. The process includes review by the Special Events Review Committee, which is comprised of representatives from Police, Fire, Parking, and Parks and Recreation. She stated final approval is granted by the City Commission. She noted the meetings are held on Wednesdays.

Ms. Scott said they are interested in learning more about outdoor amplified music and asked how that is evaluated and regulated.

Ms. Bean replied that many of the requests include amplified music. She confirmed they adhere to the noise standard of sound ending by 9:00 p.m. Sunday through Thursday and by 10:00 p.m. on Friday and Saturday.

In response to Ms. Scott's question regarding sound levels, Chair Ellis said sound levels are dictated by the noise ordinance.

Ms. Bean added any request for extension of time goes through City Commission for approval.

Ms. Henry described the process for requesting a time extension.

In response to Mr. McCoury's question, Ms. Henry confirmed the applicant can only request an extension of time and not noise level. She noted if complaints are received about the sound levels, it will be addressed through enforcement.

Ms. Henry said they supply each applicant with the noise ordinance and code.

Chair Ellis stated if an applicant has an unfavorable history with noise violations, those notes travel with the permit application for City Commission's review.

Ms. Henry confirmed it is often noted in the background.

Mr. McCourty asked about educating the neighborhoods about upcoming events.

Ms. Bean said they make every attempt to update local homeowners' associations, including inviting them to the Wednesday review meetings. They also advise the applicants to reach out to surrounding areas.

Ms. Henry said the road closures are posted and linked on the City's GIS page.

Mr. Motwani noted the City does a good job of sharing events on social media.

Mr. Petrillo asked about complaints from a large recent event.

Ms. Henry said there was only one complaint about a road closure.

- **Agent of Change Discussion**

Chair Ellis invited Sarah Hannah-Spurlock, Nighttime Economy Manager, to lead the discussion on Agent of Change.

Ms. Hannah-Spurlock presented a PowerPoint (attached) on Agent of Change which reviewed:

- Definition of Agent of Change
- Application to Noise
- Revised National Planning Policy Framework in the United Kingdom
- Application in the United States
  - Success in San Francisco
  - Washington, DC (in review)
- Implications for Creating Agent of Change Policies

Ms. Scott said it sets standards that make sense. She asked Anthony Fajardo, Development Services Department Director, if this is a code issue and not a noise issue.

Mr. Fajardo said the City Commission would have to reach a consensus to discuss the item. He said staff would take their direction from the City Commission.

Chair Ellis agreed that some of the challenges can be addressed through zoning code.

Mr. Fajardo said the State does pass regulations that affect local zoning ordinances.

Mr. Petrillo asked about the San Francisco Entertainment Commission.

Ms. Hannah-Spurlock responded that the San Francisco Entertainment Commission oversees the permitting for entertainment venues. She said they have a whole department dedicated to live music entertainment venues.

In response to Mr. Petrillo's question about mitigation efforts for developers, Ms. Hannah-Spurlock outlined a few strategies.

Mr. Petrillo stated he does not agree with restricting developers and believes their input is important in the discussion. He spoke on sound mitigation efforts he employed on a project in Tallahassee.

Discussion ensued about sound mitigation, developers, and notifications to residents.

Mr. Motwani said, to play devil's advocate, the City may want an Agent of Change only in certain areas.

Mr. Petrillo referenced the 13th Street area being residential and with the addition of food and beverage wondered if there were complaints there.

In response to Chair Ellis' recommendation about notifications, Mr. Fajardo noted disclosures can be completed because landlord/tenant is relegated by the State.

Ms. Hannah-Spurlock said including a notification requirement as part of the DRC process could be a basic requirement and low-hanging fruit with regards to inserting into the development process.

Mr. Fajardo noted the DRC has different thresholds so it may not capture everything.

Mr. Petrillo asked what Washington, DC proposed

Ms. Hannah-Spurlock said they have not approved anything at this point.

Bill Brown, Central Beach Alliance President, spoke on working with developers. He provided an example from Ocean Park.

Mr. Petrillo asked how a purchaser would know a condition exists.

Mr. Fajardo offered that it is incumbent upon the seller and purchaser to have and share that information. He said you could require it to be part of the public record, which could be found during any title search.

Discussion ensued about accessing information on conditions of approval.

Mr. Motwani said Agent of Change is a good idea to explore.

Mr. Petrillo suggested the consultant should be utilized to address the questions the Advisory Committee has.

City Attorney Boileau noted the City Manager may want to direct staff to conduct an initial review. The City Manager do some preliminary work to see if the Advisory Committee wants to move forth with the idea to propose to the City Commission.

A **motion** was made by Mr. Petrillo, seconded by Ms. Scott, for the Assistant City Manager, City Manager, City Attorney, and Director of Development Services to discuss exploring initial review of Agent of Change. In a voice vote, the **motion passed** unanimously (9-0).

- **Vehicular Noise Policy/Violations**

Chair Ellis introduced Major Victor London, Chief's Executive Officer Fort Lauderdale Police Department. Major London introduced Major Bill Schultz and Captain Timothy McCarthy.

Major London distributed an outline handout and noted they want to receive feedback from the Advisory Committee on the proposed policy.

Major London reviewed the following:

- Defining the problem
- Sharing Limitations
- Enforcement
- Available options

Captain McCarthy provided a history of vehicular noise policy and violations prior to 2012.

Since 2012, he noted they are no longer permitted to issue traffic citations for loud music coming from a vehicle. He said if they go the City ordinance route, it would be a non-physical or physical arrest for the same offense. He noted they can issue a citation for modifying a vehicle or motorcycle, such as a loud exhaust but need to go to court to prove the modification. He asked for recommendations from the Advisory Committee.

Discussion ensued about a citation versus a notice to appear, which is an arrest.

Captain McCarthy noted a failure to appear could result in a criminal history.

Mr. Petrillo asked what tools are needed to better enforce loud music.

Captain McCarthy responded that, ideally, the State legislature would create a law that could be enforced.

Attorney Boileau noted loud music regulation is limited beyond City ordinance because of State law. He said the courts push for diversionary programs.

Mr. McCourty suggested a trackable warning process.

Mr. Motwani supported the idea of a trackable warning. He noted he was primarily speaking about loud Harleys and sport bikes.

Discussion ensued about a creating a trackable warning system, compliance, and education.

Major London confirmed they will provide an update to the Advisory Committee after they develop a plan. He noted they will also add loud marine vessels to their research.

### **Old Business**

- **Status of Noise Consultant RFP**

Assistant City Manager Chavarria stated the consultant RFP was issued but there have been no responses received to date. He said April 29, 2022, is the proposal deadline.

Mr. Petrillo asked what happens if no one applies.

Assistant City Manager Chavarria said they would adjust the requirements and make the RFP broader.

Discussion ensued about promoting the RFP opportunity.

Mr. Stone asked about the budget allocated for the position.

Assistant City Manager Chavarria replied that a budget has not yet been determined.

Discussion ensued about the duration of the Advisory Committee and items for the next meeting.

### **Good of the Order**

Mr. McCoury spoke on successful noise camera initiatives launched in New York City and Knoxville, TN.

Ms. Williams stated the City of Hollywood utilizes noise cameras for vacation rentals.

Ms. Scott asked Ms. Williams if the new sound measurement meter has been successful.

Ms. Williams said it has been successful in identifying spikes and as an educational tool for those issuing noise complaints. She said they have deployed the meter nearly every week since they purchased it.

**Next Scheduled Meeting Date**

The next meeting will be held on Tuesday, May 24, 2022, at 1:00 P.M.

**Adjournment**

A **motion** was made by Mr. Hudson, seconded by Mr. Pilgram to adjourn the meeting. The meeting was adjourned at 2:20 P.M.

[Minutes prepared by TBaclawski, Prototype-Inc.]

# AGENT-OF-CHANGE

AND ITS CONNOTATION FOR SOUND MITIGATION  
IN FORT LAUDERDALE

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FORT LAUDERDALE  
**NITE** #FTLnite

Noise Control Advisory  
Committee Meeting  
April 26, 2022

## Agent-of- Change Definition

The agent of change principle is that a person or business (i.e., the agent) introducing a new land use is responsible for managing the impact of that change

# Agent-of-Change Application to Noise

A residential developer building in an established entertainment area is responsible for mitigating the noise for its residents. Conversely, a developer building an entertainment venue in a residential area is responsible for mitigating the noise for the residential neighborhood.



# Agent of Change Application to Noise

Protects venues from closing due to the high number of complaints about the sound levels.



Protects neighbors from the disturbances of a loud entertainment area near their neighborhood.

# Revised National Planning Policy Framework (NPPF2) in the United Kingdom

Between 2007 and 2018, 40% of music venues in London closed in part due to new development

Prior to implementation in 2018, entertainment venues moving into an area adjacent to residents had to take measures to mitigate for noise, but there was nothing in place to address new residential development locating near an entertainment area.

2018 Revision: “Unreasonable restrictions” should not be placed on existing businesses as a result of development permitted after they were established.

# Application in the United States

## San Francisco adopted a law in 2015 that:

- Authorizes the City's Entertainment Commission to hold a hearing on any proposed residential development located near a place of entertainment and provide comments and recommendations
- Requires lessors and sellers of residential property near places of entertainment to disclose to new lessees and purchasers the potential for noise and other inconveniences
- Establishes that no place of entertainment located near a new residential development shall be a public or private nuisance based on noise if the venue operates in compliance with permits and laws



# Application in the United States

## Washington, D.C. “Harmonious Living Amendment Act of 2021” (still under Council review):

- ❑ Sets standards for soundproofing for new residential construction where entertainment and nightlife is concentrated. The most restrictions are on development within 300 feet of a venue
- ❑ Also creates a grant program to assist venues with soundproofing and creates tax incentives for buildings to retroactively soundproof
- ❑ Commission a study on how to best accommodate performances in outdoor spaces
- ❑ Residential buildings in areas with entertainment must inform renters or buyers



# Implications for Creating Agent-of- Change Policies

- ▶ Avoid winners and losers by protecting what makes Fort Lauderdale special and attractive to residents and guests – a vibrant downtown and a comfortable quality of life
- ▶ Unfortunately, the additional regulation new policies create (any new policies) on development or businesses may run afoul of the State Legislature's mission to limit home rule

## **NOISE CONTROL ADVISORY COMMITTEE MEETING**

**4-26-22**

### **Vehicular Noise Concerns**

- I. **Problem:** Automobile and motorcycles with loud exhaust and/or loud music operated on the City of Fort Lauderdale roadways.
  
- II. **Enforcement Limitations:**
  - a. See attached Legal Bulletin: Update on the Legal Status of F.S. 316.3045 [Noise Violation]
  
- III. **Enforcement Options:**
  - a. See attached Florida Statute 316.293.5: Noise Abatement Equipment Modifications
  
  - b. See attached Municipal Ordinance 17-7.1.b: (Rights-of-way. Sound shall not be plainly audible at a distance of twenty-five (25) feet or more from a motor vehicle or any other sound source)
    - i. Concerns = Issuing criminal notice to appear with associated criminal history for minor violation
  
    - ii. Concerns Mitigation = See attached City Prosecutor Office diversion plan option for violations of amplified sound from motor vehicles
  
- IV. **Committee Feedback**

	<h1 style="color: white; background-color: green; padding: 10px;">Legal Bulletin</h1>	
<b>L.B. No. 2012-05</b>	<b>Fort Lauderdale Police Department</b>	<b>December 2012</b>

<b>ITEM 1</b>	<b>Subject: Update on the Legal Status of F.S. 316.3045 [Noise Violation]</b>	<b>Effective Immediately</b>
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**SUBJECT:**

On December 13, 2012, the Florida Supreme Court affirmed the 2<sup>nd</sup> District Court's holding that Florida Statute 316.3045 is unconstitutional.

Therefore, officers should refrain from citing F.S. 316.3045 for vehicular noise violations. If an officer encounters such a violation, the officer should cite the violator by issuing a Notice to Appear for a violation of City Ordinance 17-7 Paragraph 1.b. which reads as follows:

**1. Amplified sound. No person shall cause, allow or permit the operation of any amplified sound device from the following use districts or locations in the following manner:**

**b. Rights-of-way. Sound shall not be plainly audible at a distance of twenty-five [25] feet or more from a motor vehicle or any other sound source.**

# The 2021 Florida Statutes

[Title XXIII](#)  
MOTOR VEHICLES

[Chapter 316](#)  
STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

## **316.293 Motor vehicle noise.—**

(1) **DEFINITIONS.**—The following words and phrases, when used in this section, shall have the meanings respectively assigned to them in this subsection, except where the context otherwise requires:

(a) “dB A” means the composite abbreviation for the A-weighted sound level and the unit of sound level, the decibel.

(b) “Gross combination weight rating” or “GCWR” means the value specified by the manufacturer as the loaded weight of a combination vehicle.

(c) “Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the loaded weight of a single vehicle.

(d) “Sound level” means the A-weighted sound pressure level measured with fast response using an instrument complying with the specification for sound level meters of the American National Standards Institute, Inc., or its successor bodies, except that only A-weighting and fast dynamic response need be provided.

(e) “Department” means the Department of Highway Safety and Motor Vehicles.

(2) **OPERATING NOISE LIMITS.**—No person shall operate or be permitted to operate a vehicle at any time or under any condition of roadway grade, load, acceleration, or deceleration in such a manner as to generate a sound level in excess of the following limit for the category of motor vehicle and applicable speed limit at a distance of 50 feet from the center of the lane of travel under measurement procedures established under subsection (3).

(a) For motorcycles other than motor-driven cycles:

Sound level limit

	Speed limit 35 mph or less	Speed limit over 35 mph
Before January 1, 1979	82 dB A	86 dB A
On or after January 1, 1979	78 dB A	82 dB A

(b) For any motor vehicle with a GVWR or GCWR of 10,000 pounds or more:

Sound level limit

	Speed limit 35 mph or less	Speed limit over 35 mph
On or after January 1, 1975	86 dB A	90 dB A

(c) For motor-driven cycles and any other motor vehicle not included in paragraph (a) or paragraph (b):

Sound level limit

	Speed limit 35 mph or less	Speed limit over 35 mph
Before January 1, 1979	76 dB A	82 dB A
On or after January 1, 1979	72 dB A	79 dB A

(3) MEASUREMENT PROCEDURES.—The measurement procedures for determining compliance with this section shall be established by regulation of the Department of Environmental Protection as provided in s. [403.415\(9\)](#), in cooperation with the department. Such regulations shall include the selection of measurement sites and measurement procedures and shall take into consideration accepted scientific and professional methods for the measurement of vehicular sound levels. The measurement procedures may include adjustment factors to be applied to the noise limit for measurement distances of other than 50 feet from the center of the lane of travel.

(4) APPLICABILITY.—This section applies to the total noise from a vehicle and shall not be construed as limiting or precluding the enforcement of any other provisions of this chapter relating to motor vehicle mufflers for noise control.

**(5) NOISE ABATEMENT EQUIPMENT MODIFICATIONS.—**

(a) No person shall modify the exhaust system of a motor vehicle or any other noise-abatement device of a motor vehicle operated or to be operated upon the highways of this state in such a manner that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.

(b) No person shall operate a motor vehicle upon the highways of the state with an exhaust system or noise-abatement device so modified.

(6) EXEMPT VEHICLES.—The following are exempt from the operation of this act:

- (a) Emergency vehicles operating as specified in s. [316.072\(5\)\(a\)](#).
- (b) Any motor vehicle engaged in a professional or amateur sanctioned, competitive sports event for which admission or entry fee is charged, or practice or time trials for such event.
- (c) Any motor vehicle engaged in a manufacturer's engineering, design, or equipment test.

(d) Construction or agricultural equipment either on a job site or traveling on the highways.

(7) VIOLATIONS.—A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

**History.**—s. 4, ch. 74-110; s. 32, ch. 76-31; s. 2, ch. 78-280; s. 28, ch. 79-65; s. 136, ch. 94-356; s. 16, ch. 97-300; s. 205, ch. 99-248.

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## Sec. 17-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A-weighted sound level* means the sound level as measured with the A-weighting network on a sound level meter meeting the standards set forth in the American National Standards Institute (ANSI) S1.4-1983 or its successors. The unit of reporting is dBA. Sounds measured with the "A" weighting network approximate the response of human hearing when measuring sounds of low to moderate intensity without an amplified low frequency component.

*Ambient sound level* means that measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous sounds and those from the source under investigation. Ambient sound level is synonymous with background sound level. Ambient sounds are differentiated from extraneous sounds by the fact that the former are of a more steady state, although they may not be continuous.

*Amplified sound* means the reproduction of sound from any radio, stereo, CD player, DVD player, microphone, drum, turn table, audio or visual equipment, musical instrument, sound equipment, sound amplification device, television set, exterior loudspeakers, bullhorn or any similar device.

*Backup alarm* means an audible safety device designed to alert people that a vehicle is operating in reverse, meeting Occupational Safety and Health Administration (OSHA) rules at 29 CFR Part 1926.601(b)(4) and 29 CFR Part 1026.602(a)(9), which require, in part, that: the vehicle has a reverse signal alarm audible above the surrounding noise level.

*C-weighted sound level* is the sound level as measured using the "C" weighting network with a sound level meter meeting the standards as set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dBC. The "C" weighting network is more sensitive to low frequencies than the "A" weighting network.

*Continuous sound* means any sound with a duration of more than one (1) second, as measured with a sound level meter set to the "slow" meter response.

*Decibel* means a logarithmic (dimensionless) unit of measure often used in describing the amplitude of sound. Decibel is denoted as dB.

*Emergency energy release device* means a device used specifically to release excess energy on a non-scheduled basis as necessary for purposes of safety.

*Extraneous sound* means a sound of high intensity and relatively short duration which is neither part of the ambient sound, nor comes from the sound source under investigation.

*Impulsive sound* means a sound that has a duration of less than one (1) second and comes from the sound source under investigation.

*LMAX* means the maximum sound level measured during the sound measurement period.

*Mechanical device* means any device that transmits or modifies energy.

*Moped* means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels; with a motor rated not in excess of two (2) brake horsepower and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground; as defined in F.S. § 316.03, as may be amended from time to time.

*Motor vehicle* means any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped; as defined in F.S. § 316.03, as may be amended from time to time.

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*Motorboat* means any vessel equipped with machinery for propulsion, irrespective of whether the propulsion machinery is on actual operation; as defined in F.S. § 327.02, as may be amended from time to time.

*Motorcycle* means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor or moped; as defined in F.S. § 316.03, as may be amended from time to time.

*Motorized scooter* means any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels, and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground; as defined in F.S. § 316.03, as may be amended from time to time.

*Mixed-use property* means more than one (1) type of use in a building or set of buildings; some combination of residential and non-residential use.

*Multifamily dwelling* means any building occupied or intended to be occupied by more than two (2) families, living separately and with separate kitchens or facilities for cooking on the premises. This includes apartments, condominiums and coach homes, but does not include hotels, motels, bed and breakfast, townhouse, or cluster dwellings.

*Noise* means, for the purposes of this chapter, any sound that is in violation of any provision of this chapter.

*Noise control officer* means environmental inspectors, building and zoning inspectors, code enforcement officers and police enforcement personnel authorized to enforce provisions of this code.

*Noise disturbance* means any sound which is unreasonably loud, raucous, or jarring to reasonable persons of ordinary sensibilities, or any sound which affects the health, safety, or welfare of other persons, or exceeds the noise levels as defined in section 17-6.

*Plainly audible* means any sound that can be detected by a person using his or her unaided hearing faculties.

*Public right-of-way* and *public space* means land conveyed or dedicated by plat, deed, easement or other conveyance which is devoted to, required for or intended for the use by the public as a means of public traverse and other public purposes.

*Real property line* means either (a) the boundary line of a parcel; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multifamily dwelling; or (c) on a mixed-use property, the interface between the two (2) portions of the property on which different categories of activity are being performed.

*Single-family dwelling* is a dwelling unit designed for or occupied by one (1) family and includes standard, detached, and attached dwellings.

*Single-family dwelling (attached)* is a one-family dwelling attached to another one-family dwelling by a common vertical wall and where each unit is located on a separate plot. Single-family dwellings that are attached include duplex, cluster, and townhouse dwellings.

*Sound* means oscillations in pressure in a medium with elasticity and viscosity, such as air, that evoke auditory sensation in the human ear.

*Sound level meter* means an instrument that measures sound and conforms to ANSI S1.4-1983 or its successor publications.

*Total sound level* means that measured level which represents the summation of the sounds from the sound source under investigation and the ambient sounds which affect a given place at a given time, exclusive of extraneous sound sources.

*Vessel* means every watercraft, barge, and airboat, used or capable of being used as a means of transportation on water, as defined in F.S. § 327.02, as may be amended from time to time.

( Ord. No. C-08-37, § 2, 7-15-08 )

**Sec. 17-2. Penalties.**

Any person who violates any provision of this chapter and who shall be found violating or found in violation of any provision of this chapter shall be subject to the penalties as prescribed in section 1-6 and/or Chapter 11 of this Code.

( Ord. No. C-08-37, § 2, 7-15-08 )

**Sec. 17-3. Noise control officers.**

- (a) The noise control program established by this chapter shall be administered and enforced by noise control officers.
- (b) The noise control officers shall have the power to investigate and pursue possible violations of this ordinance and initiate enforcement under this chapter.

( Ord. No. C-08-37, § 2, 7-15-08 )

**Sec. 17-4. Sound level measurement.**

Sound level measurement shall be made with a sound level meter using the "A" weighting scale or "C" weighting scale, as specified in this chapter for the specific sound source being investigated.

( Ord. No. C-08-37, § 2, 7-15-08 )

**Sec. 17-5. General prohibitions.**

It shall be unlawful for any person to make or continue or cause to be made or continued any noise disturbance within the limits of the city.

( Ord. No. C-08-37, § 2, 7-15-08 )

**Sec. 17-6. Maximum permissible dBA sound levels.**

Notwithstanding any other provision in this chapter, it shall be unlawful, except as expressly permitted herein, to cause, allow, or permit the making of any sound which exceeds the limits set forth in this section.

**TABLE I  
MAXIMUM PERMISSIBLE SOUND LEVEL LIMITS dBA**

USE	TIMES	OUTDOOR	INDOOR
Residential	7:00 a.m. to 10:00 p.m.	60 dBA*	45 dBA
	10:00 p.m. to 7:00 a.m.	50 dBA	35 dBA
Commercial	24 hours	65 dBA	55 dBA
Industrial	24 hours	75 dBA	65 dBA

\*If the residential use is within a commercial, industrial, or mixed use, or within two hundred (200) feet of such use, the outdoor sound level limit is sixty-five (65) dBA between 7:00 a.m. to 10:00 p.m.

*Sound level measurements shall be taken as follows:*

- a. The sound level limit for the complainant's use shall apply.
  - b. Outdoor sound level measurements shall be taken on or within the real property line of the complainant.
  - c. Indoor sound level measurements shall apply when the sound source is on or within the same parcel of land as the complainant or when the real property line between the sound source and the complainant is a common wall, floor, or ceiling. Indoor sound level measurements shall be taken within the premises of the complainant.
  - d. Three (3) measurements of the normal, usual operation of the sound source under investigation shall be taken. The metric that shall be applied is LMAX. Each of the three (3) measurements shall be no less than thirty (30) seconds in duration, and all three (3) measurements shall be taken within any one-hour period. If the sound source under investigation is of a total duration of less than ninety (90) seconds, one thirty-second measurement shall be sufficient.
1. *Impulsive sound:*
    - a. Between the hours of 7:00 a.m. and 10:00 p.m. daily, impulsive sounds which occur ten (10) or more times in any one (1) hour shall not exceed the permissible sound level limits as set forth in Table I, and impulsive sounds which occur less than four (4) times in any one-hour period shall not equal or exceed twenty (20) decibels above the permissible sound level limits as set forth in Table I.
    - b. Between the hours of 10:00 p.m. and 7:00 a.m. daily, impulsive sounds which occur four (4) or more times in any one (1) hour shall not exceed the permissible sound level limits as set forth in Table I, and impulsive sounds which occur less than four (4) times in any one-hour period shall not equal or exceed twenty (20) decibels above the permissible sound level limits as set forth in Table I.
  2. *Steady pure tones:* If the sound source under investigation is a mechanical device, excluding HVAC equipment on residential property, and is emitting a sound with a steady tonal quality which does not fluctuate more than plus or minus three (3) dBA, the permissible sound level limits in Table I shall be reduced by five (5) dBA.

( Ord. No. C-08-37, § 2, 7-15-08 )

### **Sec. 17-7. Specific restrictions.**

1. *Amplified sound.* No person shall cause, allow, or permit the operation of any amplified sound device from the following use districts or locations in the following manner:
  - a. *Residential use:*
    - i. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of twenty-five (25) feet or more when measured from the source property line between the hours of 10:00 p.m. and 7:00 a.m. daily.
    - ii. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of fifty (50) feet or more when measured from the source property line between the hours of 7:00 a.m. and 10:00 p.m. daily.
  - b. *Rights-of-way.* Sound shall not be plainly audible at a distance of twenty-five (25) feet or more from a motor vehicle or any other sound source.
  - c. *Special entertainment overlay district.* When measured at a distance of five (5) feet from the building, structure or establishment from which the sound is emanating:

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- i. *Sound shall not exceed:*
    1. Eighty-five (85) dBA or ninety-five (95) dBC Monday through Thursday from 12:00 p.m. to 12:00 a.m. the following day:
    2. Seventy (70) dBA or eighty (80) dBC Monday through Thursday from 12:00 a.m. to 2:00 a.m.
    3. Sixty-five (65) dBA or seventy-five (75) dBC Monday through Thursday from 2:00 a.m. to 12:00 p.m.
  - ii. *Sound shall not exceed:*
    1. Eighty-five (85) dBA or ninety-five (95) dBC Friday through Sunday and legal holidays (as provided by state law), from 12:00 p.m. to 1:00 a.m. the following day:
    2. Seventy (70) dBA or eighty (80) dBC Friday through Sunday and legal holidays (as defined by state law), from 1:00 a.m. to 3:00 a.m.
    3. Sixty-five (65) dBA or seventy-five (75) dBC Friday through Sunday and legal holidays (as defined by State law), from 3:00 a.m. to 12:00 p.m.
  - d. *Commercial, mixed-use, or industrial uses.* No person shall cause, allow, or permit the operation of any amplified sound device in such a manner that it exceeds the following sound level limits:
    - i. From 12:00 p.m. to 10:00 p.m. daily: sound levels shall not exceed sixty (60) dBC when measured within the premises of a complainant.
    - ii. From 10:00 p.m. daily to 12:00 p.m. the following day: sound levels shall not exceed fifty-five (55) dBC when measured within the premises of a complainant.
    - iii. Sound level limits in Table 1 shall apply when sound level measurements are taken outdoors at or within the property line of the complainant.
  2. *Animals.* Unless unreasonably provoked, it shall be unlawful for any person to own, keep, possess or maintain any domesticated animal which vocalizes (howls, yelps, barks, squawks, or other noise) and the vocalizing is plainly audible at or within the property line of the complainant; and:
    - a. The vocalizing is for more than five (5) minutes without interruptions, defined as an average of four (4) vocalizations per minute; or
    - b. The vocalizing is two (2) times or more per minute for twenty (20) consecutive minutes.
  3. *Commercial sanitation operations.* No person shall cause, allow, or permit the loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans, or recyclable containers, between the hours of 10:00 p.m. and 7:00 a.m. daily when such operations are conducted on a property located within two hundred fifty (250) feet of a residential use.
  4. *Construction:*
    - a. No person shall operate or cause to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.
    - b. It shall be unlawful for any person to operate or cause to be operated equipment for the aforementioned uses Monday through Saturday before 8:00 a.m. or after 7:00 p.m. and Sunday before 10:00 a.m. or after 7:00 p.m., except for public works transportation projects that are approved pursuant to section 17-9.
  5. *Emergency generators:*

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- a. Testing of generators shall be conducted for the minimum duration and at the minimum frequency recommended by the manufacturer, but in no case shall said testing exceed one (1) hour in any one (1) day.
  - b. Testing shall only be conducted between the hours of 10:00 a.m. and 7:00 p.m. daily.
  - c. The sound emissions from generators shall not exceed sixty-eight (68) dBA when measured at a distance of twenty-three (23) feet from the generator.
  - d. When the generator is located on the same parcel as the complainant, the indoor sound level limits in Table 1 shall apply.
6. *Heating, ventilation, and air conditioning (HVAC) equipment on residential property.* No person shall operate or cause to be operated any HVAC equipment on residential property which exceeds forty (40) dBA between the hours of 10:00 p.m. and 7:00 a.m. daily when measured within the premises of a complainant.
  7. *Landscaping and yard maintenance power tools or motorized equipment.* No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment Monday through Friday before 7:00 a.m. or after 7:00 p.m. and Saturday and Sunday before 8:00 a.m. or after 6:00 p.m. No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.
  8. *Motorboat.* No person shall operate or cause to be operated any motorboat in any lake, river, stream, or other waterway which is not muffled pursuant to F.S. § 327.65.
  9. *Motor vehicles, motorcycles, mopeds and motorized scooters.* No person shall cause a rapid throttle advance (revving) of an internal combustion engine resulting in a noise disturbance.

( Ord. No. C-08-37, § 2, 7-15-08 )

### **Sec. 17-8. Exemptions.**

1. Construction operations between 8:00 a.m. and 7:00 p.m., Monday through Saturday and between 10:00 a.m. and 7:00 p.m. on Sunday for which building permits have been issued, or construction operations not requiring permits due to the scope of work or ownership of the project by an agency of government; providing all equipment is operated in accordance with its manufacturers' specifications, uses as standard equipment its manufacturers' mufflers and noise-reducing equipment, and is in proper operating condition.
2. Emergency energy release devices.
3. Facility-wide warning devices.
4. Back-up alarms so long as they are self-adjusting to ambient sound levels and meet the requirements of OSHA standards.
5. Noises arising from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
6. Noise caused in the performance of emergency work, at the site of the emergency, for the immediate safety, health or welfare of the community or individuals of the community or to restore property to a safe condition.
7. All noises coming from the normal operations of an aircraft.
8. Motor vehicles, mopeds, or motorized scooters as defined herein and muffled in accordance with state law.

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9. Vessels operated on the waterways within the city limits which are muffled pursuant to F.S. § 327.65, as may be amended from time to time.
  10. Impulsive sound resulting from the controlled detonation of explosives at quarries and construction sites.
  11. Sanitation operations which include the unloading, emptying or collection of any waste or recyclable container between the hours of 7:00 a.m. and 10:00 p.m. daily.
  12. The sound emissions of emergency generators shall be exempt when there is loss of power for any cause other than non-payment of utility services. The testing of emergency generators shall be conducted pursuant to section 17-7(e).
  13. Landscaping and yard maintenance power tools or motorized equipment between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 8:00 a.m. and 6:00 p.m. Saturday and Sunday. No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.

( Ord. No. C-08-37, § 2, 7-15-08 )

### **Sec. 17-9. Construction of large public works transportation projects.**

- (a) When a public transportation project that cannot reasonably be constructed within the noise limitations set forth in Chapter 17, is to be constructed and the project is one that substantially impacts vehicular or vessel traffic for a period of time that exceeds one hundred eighty (180) days, the city commission may determine that special circumstances exist and approve a noise management plan that establishes project-specific noise regulations, which will apply instead of the other regulations contained herein.
- (b) Consideration of an application for relief from the requirements of Chapter 17 of the Code of Ordinances of the City of Fort Lauderdale shall be initiated by filing an application for approval by the public entity wishing to construct the transportation improvement, with the city engineering division. An application shall include a noise management plan that shall include the following elements:
  - (1) A conceptual site plan showing the size and location of all structures and infrastructure improvements to be constructed under the proposed project;
  - (2) A legal description of the property where the project is occurring;
  - (3) A description of the need for the public improvement;
  - (4) A description of the economic and environmental impact on the area as a result of improvement;
  - (5) A description of the noise regulation(s) from which relief is necessary in order to construct the improvement and a description of the proposed regulations that the project shall meet during construction;
  - (6) A description of the anticipated noise impact of the construction on adjacent properties;
  - (7) A description of how the noise management plan mitigates negative impacts that might occur;
  - (8) A description of the continuous noise-monitoring program proposed for the construction period, which measure noise levels as well as makes an audio recording of the noise;
  - (9) The results of a baseline ambient, A-weighted sound levels noise study, in the project area of continuous duration, at monitoring sites, said study to be previously approved by the city engineer;
  - (10) A description outlining the resources of the applicant to monitor noise and implement the noise management plan, which shall include the identification of noise control officers; and

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- (11) An estimate of the cost and time savings that will result from the adoption of the noise management plan.
- (c) The application shall be reviewed by the city department responsible for review of development permits for a determination that the application is complete and then forwarded when complete to the development review committee (DRC). After review and comments by the DRC, the application shall be forwarded to the city commission.
- (d) The city commission shall hold one (1) public hearing to consider a resolution approving the noise management plan and shall provide notice of hearing to owners of property within three hundred (300) feet of the boundaries of the public works transportation project. For purposes of notification, the owners shall be considered to be the names shown on the property appraiser's tax rolls as such are known by the city. Except as otherwise required by law, condominium, cooperative and time-share associations shall be notified as one entity and that entity shall be responsible for notifying individual owners or members of their association. The notice shall be mailed to the address shown at least ten (10) days before the date of the hearing.
- (e) The city commission may approve, or approve with conditions, the noise management plan based on the following findings:
- (1) There is a need for the public works transportation project and the project is of such large size and that its duration is for more than one hundred eighty (180) days such that special circumstances exist.
  - (2) On-site improvements have been incorporated into the noise management plan that minimize the impact of construction noise.
  - (3) The noise management plan represents a viable and cost-effective plan that balances the need for the public improvement to be constructed in a reasonable period of time versus the noise to be produced and hours of construction, which impact adjacent properties.
  - (4) Off-site or on-site conditions exist that reduce the noise impact if any, and to the extent possible, the noise management plan utilizes those conditions.
  - (5) That the noise management plan provides for the continuous monitoring of noise during the project construction period, the data from which shall be provided to the city by a direct, real-time, hook-up between city and applicant's computer system in a computer readable format, compatible with the city's noise monitoring system.
- (f) Any person involved with a public entity transportation construction project who has been convicted of violating any of the terms or conditions of an approved noise management plan, by a court of competent jurisdiction, may be cause for the city commission to revoke such public entity's noise management plan. Upon such a conviction, the city manager may place on the city commission agenda the matter of revoking the plan. After consideration of the matter and allowing representatives of the public entity to be heard, the city commission by resolution may revoke or place conditions upon the noise management plan. The factors to be considered by the city manager and the city commission shall include the number and seriousness of the specific noise management plan violations of which a person involved with the public entity's project has been convicted of violating, whether the penalty imposed pursuant to the conviction has been satisfied, whether the public entity has made modification to its operations to conform to the requirements of the noise management plan and based on the foregoing criteria, the danger to the health, safety, and welfare of the public due to continued operation by the public entity pursuant to its noise management plan.

( Ord. No. C-08-37, § 2, 7-15-08 )

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**Sec. 17-10. Construction of large or complex projects (transportation and non-transportation); exemption for time to comply.**

- (a) Upon good cause shown by the owner of any noise source, the city manager shall have the power to grant a special permit, which provides an exemption from the provisions of section 17-7(4) of the Noise Control Ordinance in order to allow sufficient time for the installation of necessary materials, equipment, facilities, or modifications necessary for construction as certified by the Building Official.
- (b) Approval of the special permit shall be based upon cases of necessity or in the interest of public health, safety and convenience. In the issuance of such permit(s), the city manager shall weigh all facts and circumstances and shall determine whether the reasons given for the necessity are valid and reasonable, whether the public health, safety and convenience will be protected or better served by granting the permit requested, and whether the manner and amount of loss or inconvenience to the party in interest imposes a significant hardship upon such party.
- (1) A thirty (30) day special permit may be granted but shall not authorize construction sound between the hours of 11:00 p.m. and 6:00 a.m., unless specifically granted by the city manager, with one (1) fifteen (15) day extension for a total not to exceed forty-five (45) days.
- (2) When located within a Regional Activity Center Land Use Designation, the City Manager may extend the special permit beyond forty-five (45) days, as specified above, if it is found that granting such extension is will ensure reduced overall impacts of construction on neighboring properties but shall not authorize construction sound between the hours of 10:00 p.m. and 7:00 a.m. Monday through Saturday and between the hours of 7:00 p.m. and 10:00 a.m. on Sunday. When an extension is requested by an applicant a specific narrative outlining such reduced impacts to neighboring properties and surrounding areas shall be included with the application. This narrative shall include, but shall not be limited to the following:
- a. Reduction to traffic impacts.
  - b. Overall reduction in construction timelines with specific dates by comparison to timelines for construction under the construction times provided in Section 17-7-4.
  - c. Specified activities that will occur during this special permit shall be listed with specific time of activities included.
- (3) Special permit(s) shall be for a specific period and shall include a start date and a finish date. Each specific period shall require a special permit.
- (4) A notice measuring at least 16" x 20" with two (2) inch letters must be posted in at least two (2) places on the perimeter of the construction site during the life of the permit describing the activity, purpose, hours and dates for the special permit.
- (5) Nothing in the special permit shall imply multiple periods or multiple construction sites or projects.
- (6) Appropriate Maintenance of Traffic (MOT) agreements must also be submitted or included with any special permit request.
- (7) The City Manager may revoke such special permit if it is found that a violation of the special permit has occurred or if he/she finds the permit no longer serves the interests of public health, safety or convenience as stated herein.
- (8) The city manager may refer approval of a special permit to the city commission.
- (c) The City Commission may authorize additional special permit extensions of time beyond the authority of the City Manager through adoption of a resolution upon a showing of good cause when it is demonstrated the

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special permit is in the best interests of public health, safety, and convenience. The City Commission may revoke such special permit if it is found that a violation of the special permit has occurred or if it is found that the special permit no longer serves the interest of the public health, safety, and convenience.

(Ord. No. C-18-18 , § 1, 8-21-18; Ord. No. C-20-37 , § 1, 11-5-20; Ord. No. C-21-08 , § 2, 3-2-21)

Editor's note(s)—(Ord. No. C-18-18 , § 1, adopted August 21, 2018, amended § 17-10 in its entirety to read as herein set out. Former § 17-10, pertained to construction of large projects; noise management plan; exemption for time to comply, and derived from Ord. No. C-08-37, § 2, 7-15-08 .



You have been issued a Notice to Appear, which is a non-physical arrest for violating City's Municipal Ordinance, **Unlawful Noise Violation, Section 17-7 (1)(b)**. However, you are being released without bond or going to jail. You have two (2) ways in which you can handle your case:

1. You may enter a pre-filing diversion with the City of Fort Lauderdale. This will give you the opportunity to complete certain conditions in order for your case to be dismissed and not appear on your criminal record. If you choose this option, you **MUST** contact the Prosecutor's office at **(954) 828-4553** within five (5) days of receiving your Notice to Appear and the conditions of the program will be given to you.

OR

2. If you fail to contact the Prosecutor's Office regarding pre-filing diversion, your case will be filed, and you **MUST** appear in front of the judge on the date written on your Notice to Appear. If you fail to appear in Court, there will be a **WARRANT ISSUED FOR YOUR ARREST**.

\*This charge is punishable by a maximum of 60 days in jail and a \$500.00 fine.

# Noise camera company explains tech ahead of Knoxville test

by: [Elizabeth Kuebel](#) Posted: Oct 27, 2021 / 08:03 PM EDT Updated: Oct 27, 2021 / 08:03 PM EDT

KNOXVILLE, Tenn. (WATE) — You may start spotting noise cameras when you're driving around [Knoxville](#). The city said it's planning to test the new device. They're sort of like a red light camera – but triggered by sound, mainly from loud cars.

WATE 6 On Your Side's Elizabeth Kuebel talked to the company behind the camera, Intelligent Instruments Ltd, which is based in the UK. The company has 7 permanent systems in London and within the U.S., [New York City](#) is doing a trial run. It's the only place using the cameras within the U.S. right now. However, Knoxville is also planning its own trial.

"The noise camera system is a class 1 precision sound level meter at the heart of it. With a couple of high resolution cameras attached to it. It's measuring video and audio and noise levels all the time. It's waiting for a noisy vehicle, and when it detects one, it captures video, audio, noise levels, and uploads everything to a web server, where someone can review it and make a judgment as to whether it's ok or not," said Intelligent Instruments director, Dave Coles.

Coles said they are in the process of getting a trial system shipped to Knoxville.

"Cars, performance cars with modified exhaust and also motorbikes with illegal exhaust," that's what Coles said the noise cameras pick up on.

# Noise camera to be tested in downtown Knoxville

by: [Gregory Raucoules](#) Posted: Feb 14, 2022 / 07:57 AM EST Updated: Feb 14, 2022 / 06:00 PM EST

KNOXVILLE, Tenn. (WATE) – The City of Knoxville is set to test out a noise-monitoring camera, a device that could help officials enforce local noise restrictions against loud vehicles.

The device is similar to red light cameras but is triggered by sound by using a filter designed to pick up on noisy vehicles and exhaust. A camera is scheduled to be installed at the intersection of Gay Street and Clinch Avenue for a trial run at no cost to the city.

A release from the city said noise complaints are up and downtown residents and business owners are tired of noise pollution from illegally modified vehicles. Data that will be collected includes the time and date of a noise violation, the vehicle type and a photo of the vehicle's license plate.

The camera footage cannot be used alone as the basis for issuing a noise violation but warnings may be issued. The city release said the trends that are verified by the data can lead to more effective enforcement.

"Right now, the City is limited to anecdotal complaints from residents and what patrol officers witness," said Carter Hall, the City's Policy and Business Innovation Manager. "This camera, on loan from UK-based 24 Acoustics Ltd., is a promising new tool that can help cities address noise as a quality-of-life issue. We want to conduct a short-term demonstration project to track the frequency and source of the worst

"A, because a voice wouldn't really be loud enough. And B, because it's not generating at the frequencies that we'd be looking for," said Coles.

"It's continually recording, but then deleting data that's a few seconds old. But as soon as it detects something, it will keep the last few seconds plus the next few seconds," said Coles. "We're looking at frequencies that are specific to car exhaust or vehicle exhaust, and anything else is pretty much ignored."

The City will be placing signage downtown announcing the use of the enforcement technology.

# NYC Traffic Cameras With Mics Are Now Ticketing Noisy Cars

[Justin Westbrook](#) Feb 18, 2022

A BMW M3 owner was ticketed in New York for violating the city's Noise Code after being recorded and photographed by a new type of [traffic camera](#) that can measure the decibel levels near the roadway as a vehicle passes. These new devices can automatically issue a ticket if the car exceeds noise thresholds. More reports indicate we could expect to see more new "noise cameras" popping up nationwide.

The ticket was issued by New York's Department of Environmental Protection (DEP), posted [to the Lowered Congress Facebook page](#) and reported on [by Road & Track](#). It instructs the owner of the car to have the allegedly noncompliant muffler repaired or replaced, and to take the vehicle to a DEP location for inspection once complete. It's New York City, so in the case of this ticket, the owner happens to have been asked to report to an actual sewage treatment plant, which must be where the DEP conducts some of its vehicle inspections.

A \$875 charge is threatened if the vehicle owner does not comply, and additional fines are threatened if the notice goes unanswered. Here's how the city's letter describes the operation of the traffic camera:

"[Y]our vehicle has been identified as having a muffler that is not in compliance with Section 386 of the Vehicle and Traffic Law, which prohibits excessive noise from motor vehicles. Your vehicle was recorded by a camera that takes a picture of the vehicle and the license plate. In addition, a sound meter records the decibel level as the vehicle approaches and passes the camera. "



# Roadside Sound Meter and Camera that is Activated by Loud Mufflers Now Sending Notices

February 22, 2022

The New York City Department of Environmental Protection (DEP) today announced that a small pilot program is underway that includes the use of a roadside sound meter and camera to capture evidence of vehicles emitting noise in violation of New York State's Vehicle and Traffic Law and the City's Noise Code.

"Vehicles that emit obnoxious levels of noise in violation of state and city law have become a top quality of life concern for many New Yorkers and this technology offers some real promise in helping us to provide some relief for our neighbors," **DEP Commissioner Rit Aggarwala** said. "We will monitor the pilot program closely and if it continues to show promise, we will look to expand it in the coming months."

The sound meter and camera are installed adjacent to the roadway and are activated when they detect a noise at a distance of 50 feet or more that registers at or above 85 decibels. At that point a video is captured of the vehicle emitting the noise. DEP noise enforcement staff review the videos and mail a Notice to the owner of the vehicle. Currently, the Notice directs the owner to bring the vehicle to a DEP facility for an inspection to ensure it is in compliance with state and city noise requirements. Penalties under the program can range from \$220 for a first offense to \$2,625 for a repeated default. The camera is posted approximately 15' above the roadway and thus the only identifying

## Testing for Noise-Monitoring Camera Begins Knoxville Urban Guy-February 14, 2022

As I mentioned in November, the city has acknowledged increased noise complaints in the downtown area. While cities are noisy places out the gate, there seems to be a more recent increase in cars with no mufflers, or with illegal modifications to make them louder. Cars and off-the-road motorcycles often use the garages to enjoy the reverberations of their noise. And then there are the vehicles cruising Gay Street with their music loud enough to be heard south of the river.

As indicated previously, the city has determined to explore addressing the issue via sound cameras. The British company 24 Acoustics will provide the cameras for the trial run. In a recent demonstration, one of the cameras was seen to work properly, not recording normal vehicles, but instantly slipping into recording mode when presented with an illegally modified car.

Now the city is ready to take the next step and will install a camera at the intersection of Clinch and Gay sometime this week. "Data that will be collected includes the time and date of a noise violation, the vehicle type and a photo of the vehicle's license plate." The camera will not directly trigger a citation, but upon review by KPD, a citation could result.

They are hopeful as the word spreads, the cameras will serve as a deterrent. They will also (as more are installed, should this trial go well) provide data regarding where and when the primary violations occur. With this information, patrols can be more focused.

Carter Hall, the city's Policy and Business Innovation Manager said, "This camera, on loan from UK-based 24 Acoustics Ltd., is a promising new tool that can help cities address noise as a quality-of-life issue. We want to conduct a short-term demonstration project to track the frequency and source of the worst noise issues."

The cameras sit dormant until triggered by loud noise. A city ordinance already in place requires vehicles have an operational muffler and "cutouts and bypasses" are banned. On city streets with a 35 mph or lower speed limit, noise is capped at 82 dBA. OSHA describes 80 dBA as standing 100 feet from a moving freight train. Over 100 dBA is comparable to being on a construction site or a noise level similar to a jackhammer.

Once triggered, the 24 Acoustics camera records "two-directional video," taking a photo of the offending vehicle, including license plate. Should the trial period prove effective at identifying noise sources, the city plans to expand the program. Again, not with the idea of issuing citations, though officers could choose to do so, but with the idea of discouraging noise violations and focusing patrols where they are the worst.

And the project could be expanded to other parts of the city as needed. Deputy to the Mayor and the city's Chief Policy Officer, Erin Gill, said, "Although the demonstration project will focus on downtown, testing this tool as a strategy for enforcement will benefit other neighborhoods as well. Excessive noise is more than an inconvenience. It keeps residents awake and disrupts workers, and chronic noise pollution creates a risk of negative health effects, both physical and mental."

Source: <https://insideofknoxville.com/2022/02/testing-for-noise-monitoring-camera-begins-testing/>