

COUNCIL COMMUNICATION

	Number:	19-122	Meeting:	March 25, 2019
	Agenda Item:	40	Roll Call:	19-0490
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Amending Section 42-258, relating to noise control.

SYNOPSIS:

Amends the noise control ordinance to bring the requirements for sound levels for enforcement purposes the same for Water Works Park as other large concert venues in the City.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The noise control ordinance currently requires sound reading to be taken at the nearest property line adjacent to Water Works Park. Over the past several years staff has received complaints from those neighbors about the sound coming from concerts in the park.
- Brenton Skating Rink, Simon Estes, Sleepy Hollow and other outside venues are required to keep the sound at 100 dBC's measured 50 feet from the sound equipment. Currently it is measured at 85 dBC's when measured at the nearest residence.
- With this change staff will have a defined limit for sound across the multiple venues. Additionally, it will be easier to take sound readings when there is a complaint. Driving a neighborhood to find where the sound is in violation is difficult and not efficient.

PREVIOUS COUNCIL ACTION(S):

Date: March 20, 2017

Roll Call Number: [17-0507](#) and [17-0508](#)

Action: [Amending](#) Chapter 42 of the Municipal Code regarding noise control, by adding dBC scale and allowing measurement from the public right-of-way. ([Council Communication No. 17-286](#))
Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

(A) Final consideration of ordinance above, requires six votes. Moved by Coleman that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,566](#). Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.