CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date: March 1, 2010

Action Required: Ordinance 2nd Reading

Presenter: James E. Tolbert, AICP, Director

Staff Contacts: James E. Tolbert, AICP, Director

Title: **Amendments to the Noise Ordinance**

Background: Council passed on first reading at your last meeting, amendments to the noise ordinance related only to the Neighborhood Commercial Corridor (NCC) Zoning District. Council made several amendments at first reading to respond to concerns raised through citizen comments. Additionally, at the request of Council, staff has written property owners in the Neighborhood Commercial Area in the Fontaine/Maury area to notify them of the changes.

Discussion: Changes made to the ordinance on first reading were:

- Change the maximum decibel level in the Neighborhood Commercial Zone after 11:00 p.m. to 60 dB(A).
- Clarify that "amplified" sound is what is being regulated.
- Clarified that the sound would be measured "at a residential" property line.

Budgetary Impact: None.

Recommendation: Staff recommends approval of the ordinance as amended.

Attachment: Revised proposed ordinance

AN ORDINANCE
AMENDING AND REORDAINING SECTION 16-11
OF CHAPTER 16 (NOISE CONTROL) OF THE
CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO NOISE FROM RESTAURANTS IN THE
NEIGHBORHOOD COMMERCIAL CORRIDOR DISTRICT.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 16-11 of Chapter 16 of the Code of the City of Charlottesville, as amended, is hereby amended and reordained, as follows:

Sec. 16-11. Sound levels; restaurants.

No person shall permit, operate or cause any ~~source of~~ <u>amplified</u> sound to create a sound level emanating from a restaurant during the hours between 11:00 p.m. and 6:00 a.m. in excess of seventy-five (75) dB(A) <u>(60 dB(A) in the Neighborhood Commercial Corridor district, described at City Code Sec. 34-541)</u> when measured at ~~or outside the~~ <u>a</u> residential property boundary.