

## COUNCIL COMMUNICATION

	Number:	<b>22-228</b>	Meeting:	<b>May 17, 2022</b>
	Agenda Item:	<b>5</b>	Roll Call:	[ _____ ]
	Submitted by:	<b>Chris Johansen, Neighborhood Services Department Director</b>		

**AGENDA HEADING:**

Amendments to Chapter 42, Noise Control Ordinance, regarding permits for 900 Mulberry Street.

**SYNOPSIS:**

In order to have amplified music in the courtyard at 900 Mulberry Street to support the use as an event center level for permits need to be established. The amendment would allow not more than 90 dBCs for up to six (6) times in a calendar year and registering not more than 85 dBCs for up to 18 permits in a calendar year measured at the real property boundary between the hours of 9:00 a.m. to 10:00 p.m. Sunday through Thursday and between the hours of 9:00 a.m. to 11:00 p.m. on Friday and Saturday.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

- Additional restrictions include:
  - The sound will be measured at the real property boundary.
  - The amplified sound will not be the primary purpose of the event and the description of the event will be provided with the permit application.
  - The event coordinator and/or the production company will provide notice to the adjacent residents detailing the type of event, the time frame of the event and contact names of persons responsible for the event as set out on the permit application.
  - All speaker systems shall face SW 9<sup>th</sup> Street.
  - The promoter or event coordinator shall have a sound meter and comply with section 42-258 (e) of this article.
  
- To clarify how a meter reading the ordinance will be amended to set out that a sound violation means readings taken at the LCFmax that exceed the permitted level of amplified noise.

**PREVIOUS COUNCIL ACTION(S):**

Date: October 18, 2021

Roll Call Number: [21-1619](#) and [21-1620](#)

Action: [Amending](#) Chapter 42, Article VI, Sections 42-246 and 42-258, relating to noise regulations. ([Council Communication No. 21-440](#)) Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

(A) Final consideration of the ordinance above, requires six votes. Moved by Mandelbaum 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 does now pass, [#16,064](#). Motion Carried 7-0.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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