



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: May 5, 2022

Subject: Noise Nuisance Ordinance

Staff had received input from members of the Planning Commission seeking updates to the City's nuisance ordinance related to noise. Staff reviewed the current nuisance ordinance, reviewed the LMC model nuisance code and reviewed neighboring city ordinances to inform the proposed ordinance before you.

The proposed ordinance removes noise ordinances from 9.20.020(D) and creates a new section (E) addressing noise violations. Section (E)(1) defines prohibited noises and declares them as nuisances. Section (E)(2) places hourly restrictions on the use of domestic power equipment, refuse hauling, construction activities, and music devices. The proposed language also allows the City Council to require a person applying for a zoning classification change or license to submit a noise impact statement. This is a detailed noise survey to establish the environmental noise impacts of a new development. Section (E)(3) prohibits people from participating in any party or other gathering giving rise to noise, disturbing the peace, quiet and repose of other persons. It requires people, other than the property owners, to leave a gathering creating a noise disturbance at the request of a peace officer. Section (E)(4) creates an exemption for emergency work.

The Planning Commission reviewed the language at its meeting on April 25 and provided their feedback. Their feedback was primarily focused on the hourly restrictions on construction activities and domestic power equipment. That feedback is incorporated in the enclosed ordinance.

Staff is seeking City Council feedback. This will be incorporated in the proposed language and will be presented to the City Council at its May 16 meeting.

If you have any questions, please don't hesitate to contact me at 763-784-6491.