Revised
Noise Ordinance

City Council

July 27, 2021

THE CITY OF ASHEVILLE

STAFF RECOMMENDATIONS



Construction

Limit hours of operation in all districts; require “After Hours” permit



Refuse collection

Limit hours of operation in and near Residential districts



Vehicle Exhaust/Revving

Prohibit in all districts; enforced by APD



Commercial/industrial equipment

Regulate using decibel standard;

5 dBA penalty for pure tone, continuous sound, cyclically varying sound or repetitive impulsive sound

THE CITY OF ASHEVILLE

STAFF RECOMMENDATIONS



Music overamplification

Regulate Commercial district/CBD events using decibel standard measured at the receiver

Regulate public space/right-of-way events using *noise disturbance* standard



Fireworks

Limit legal fireworks to public holidays; illegal fireworks remain illegal

Limit Tourist baseball fireworks to 12 shows/year on Friday & Saturday until 11:30 pm



Residential neighbors

Regulate using *noise disturbance* standard to enable equitable enforcement



Dogs and animal

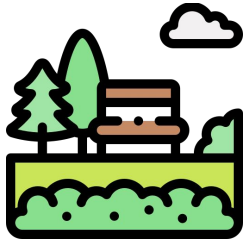
Consolidate into City Code Chapter 3; administered by DSD Animal Services

10.83 GENERAL REGULATION

Sound originating in

public space, right-of-ways

and Residential districts



***Noise Disturbance* standard**

for *equity*

Sound originating in

CBD, Commercial

and Industrial districts



Objective Decibel standard

for *clarity*

THE CITY OF ASHEVILLE

OBJECTIVE DECIBEL STANDARD



Originating District	Daytime 7:00 am - 11:00 pm *12:00 am Fri-Sat	Nighttime 11:00 pm - 7:00 am *12:00 am Fri-Sat	Late Night 2:00 am - 7:00 am (CBD only)
Central Business District (CBD)*	**75** ~~72~~ dBA	**70** ~~67~~ dBA	**65** ~~62~~ dBA
Commercial*	**75** ~~65~~ dBA	**65** ~~57~~ dBA	
Industrial	**75** ~~70~~ dBA	**65** dBA	

- Updated to reflect **Public Safety Council Committee** recommendation from June 3, 2021
- Subtract 5 dBA for pure tone, continuous, cyclically varying or repetitive impulsive sound
- Subtract 8 dBA when measured in a residential district (if adopting PS decibel levels)
- Sound is measured at receiving property using LAeq1 (average of 1 minute)

SOUND EXCEEDANCE PERMIT

Type I	1 - 2 events	Standard permit application (SPA)
Type II	3 - 8 events	SPA + sound impact plan
Type III	9 - 30 events	SPA + professional sound impact plan + permitted as ***Performance Center*** **

Standard permit application would require:

- *Site plan*
- *Event schedule*
- *On-site contact information*
- *1-week advance notice to addresses within 500'*

** ***Staff recommend revising Performance Center criteria in UDO***

REQUESTED ACTION

- **If the Public Safety recommended decibel levels are adopted:**
  - Staff recommends including an 8 decibel reduction for sound measured in a residential district

- **If the original staff recommended decibel levels are adopted:**
  - Staff recommends ***not*** including an 8 decibel level reduction for sound measured in a residential district

- **Staff recommend a *minimum* 30-day delayed ordinance effective date**

THE CITY OF ASHEVILLE