



## Waynesboro City Council Agenda Briefing

<b>Meeting Date:</b>	July 11, 2022	<b>Staff/Council Member(s):</b> Michael Hamp, City Manager Michael Wilhelm, Assistant City Manager of Public Safety
<b>Agenda Item #</b>	8	
<b>Ordinance</b>		
<b>Department:</b>	City Manager's Office	
<b>Subject:</b>	Proposed Revisions to City Code Sec. 50-50—Unnecessary Noise	

**Background:** At certain levels, audible and discernable noise can be detrimental to the health, welfare, safety, and quality of life of the citizens of Waynesboro. The noise produced by human activities has been increasingly recognized as a serious and growing environmental and health problem. Noise pollution has been implicated in a variety of health disorders, ranging from stress and hypertension to permanent hearing loss.

Noise complaints are common in the City of Waynesboro. In each of the two previous years, there were more than 200 noise-related calls to the Emergency Operations Center. Year to date 2022, there have been 92 noise complaints to the EOC. The Police Department is responsible for enforcing the noise-related provisions of the Code. Enforcement of noise-related codes can be challenging, especially when they rely on subjective observation rather than objective standards that can be consistently applied. Many noise complaints are resolved through communication between the officer and the offender. Repeat and persistent occurrences require a well-crafted ordinance for effective enforcement.

The policy of the City of Waynesboro is to prevent unnecessary noise while appropriately preserving each citizen's First Amendment rights. The recommended changes by city staff and the city attorney to City Code Section 50-50 are intended to enhance the quality of life for Waynesboro residents, bring the current ordinance into compliance with the State Code and establish more objective criteria to support the practical enforcement of noise-related regulations.

Some of the highlights of the proposed noise ordinance changes include:

1. A clear and objective definition of noise.
2. A "plainly audible and discernable" standard for the enforcement of noise violations.
3. Elimination of the time-of-day restrictions for noise violations.
4. Consistent application of a 100 ft. distance for noise violations.
5. Penalties for noise violations that are consistent with the Code of Virginia (15.2-980)

**City Manager's Recommendation:** The City Manager recommends approving the Code changes as presented.

**Suggested Motion(s):** A motion should be made to introduce the attached Ordinance in revising City Code 50-50 (Unnecessary Noise).

**Attachments:** Amended Ordinance