

DRAFT

Minutes of Meeting of the Greensboro Noise Ordinance Committee November 25, 2014

Present: Megan Rose, Lenny Schiavone, Susan Wood, 'Cilla Bonney-Smith, Tom Anastasio, Anne Harbison, Peter Romans.

The meeting was opened at 7:00 p.m.

The first order of business was election of a Chairperson and a Secretary. Sue nominated Tom Anastasio as Secretary, seconded by Lenny, approved unanimously. Sue then nominated Peter Romans as Chairperson, seconded by 'Cilla, approved unanimously.

Sue reported that she contacted the VLCT about the legality of writing an ordinance that specifies the District for enforcement (*e.g.*, Village, Lakeshore, Rural). VLCT opinion is that can be done as long as the usual guidelines for an ordinance are met which require that as whole, it is definite and certain in all its terms. Generally, an ordinance will be considered "reasonable" if the ordinance is within the power of the legislative body, is positive, definite and certain in its terms, is general, uniform and impartial in its operation and is not in restraint of trade, oppressive or in contravention of common rights.

Peter stated that he does not see why we should include District considerations - "if noise is objectionable, it's objectionable." Tom agreed with this point of view but pointed out that an ordinance might be more generally accepted if it applied only in some districts.

Sue asked if there might be some other way to achieve the goal of protection against objectionable noise without resorting to an ordinance. Peter pointed out that Police Chief Cochran has stated that an ordinance would provide him and his officers guidance when they respond to noise complaints.

Sue suggested that an important element of an ordinance should be definition of times of day and durations that would be objectionable. As an example, she stated that a 4 pm, two-hour outdoor party with amplified music would be far less objectionable than the same party later at night and lasting five or six hours.

Sue also suggested that, as part of the ordinance, a form might be devised requiring approval from abutting property owners. This might be considered as part of a waiver process, which she sees as an important component of any ordinance.

After considerable discussion of various hypothetical noise problems, Peter proposed that we should use a draft ordinance presented by Lenny as a working document. This will give the Committee specific language with which to work out a proposed ordinance suitable for Greensboro. He proposed that Lenny email his draft and that Sue email the VLCT guidelines to all Committee members.

The next meeting is scheduled for Monday, December 1, at 4 p.m., in the Collier Room.

Meeting adjourned at 8:10 pm