

Cities try different tactics to regulate noise

Survey of noise ordinances in nearly 500 of the largest communities in the United States shows there's no set standard for preserving peace and quiet

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Source: Acoustical Society of America

Summary: If you live in Waco, a gas lawn mower at night likely wouldn't violate the decibel limit, even though it may in most towns. The large difference is just one example of the diversity of laws regulating noise throughout the US. The Noise Pollution Clearinghouse, a national non-profit that gathers noise-related resources and advocates for quieter public spaces, has compiled a database of noise ordinances for nearly 500 of the largest communities in the US.

FULL STORY

If you live in Waco, Texas, your neighbor maneuvering a gas lawn mower in the middle of the night likely wouldn't violate the decibel limit, which is eight times louder than the typical nighttime limit in the United States.

The large difference is just one example of the diversity of laws regulating noise throughout the United States. The Noise Pollution Clearinghouse, a national non-profit based in Vermont that gathers noise related resources and advocates for quieter public spaces, has now compiled a database of noise ordinances for nearly 500 of the largest communities in the U.S. The goal is to make it easier for researchers and lawmakers to understand what regulations exist and which ones work the best.

"I've analyzed ordinances from 491 communities so far," said Les Blomberg, executive director of the Noise Pollution Clearinghouse. He will present his database at the 171st meeting of the Acoustical Society of America, held May 23-27 in Salt Lake City, by which time he hopes to have gotten up to at least 500 communities.

So far, the communities in the database generally have more than 60,000 residents. In total, they represent about a third of the U.S. population.

Excessive noise is a common complaint from community residents, from the cities to the suburbs, Blomberg said. His initial inquiries suggest that around 3-8 percent of calls to the police concern loud sounds. Going forward he plans to more systematically survey law enforcement agencies to determine how often noise ordinances are violated and whether certain wording makes it easier for police officers to enforce the law.

The database of noise ordinances is a good start, Blomberg said, because it displays how exceptionally varied our approaches to noise pollution are. The ordinances include decibel-based standards, plainly audible standards, nuisance standards, quiet zones and restrictions based on zoning, setbacks, time-of-day regulations, and outright bans on some noise sources, such as gas-powered leaf blowers. Many communities rely on a combination of these regulatory approaches.

The most common approach was a nuisance standard, which appeared in 85 percent of the 491 ordinances. The nuisance standard is usually based on what a "reasonable" person would find offensive. The interpretation of "reasonable" is left to law enforcement officers and the courts.

Decibel levels, which are a standardized measure of sound pressure, appear in 55 percent of noise ordinances in the database. While decibel levels may be a more scientific measure of noise, they're also difficult to enforce, Blomberg said.

Police officers must be trained in the use of noise meters and they have to have their calibrated equipment with them to measure sound levels. In some cases, they may not be able to wait long enough to gather the data necessary to say whether a noise source is out of compliance.

For this reason, some communities are updating their laws to simplify enforcement, Blomberg said. For example, in 2005 New York City added a plainly audible noise standard. The regulation states that if a noise source is plainly audible at a certain distance, it is in violation.

"All a police officer would need to enforce the law is her or her ears and a tape measure," Blomberg said.

Blomberg said most all of the noise ordinances he's looked at have limitations. Some reveal the priorities of the community.

"Many times the special interests of a community are visible in its noise laws," he said. For example, some communities exempt shooting ranges or church bells from the law. "In Oklahoma and Texas, noise regulations do more to protect oil producers from their neighbor's complaints than they do to protect the neighbor's health and welfare. In Austin, Texas, it's the music venues that are protected," he said.

Blomberg hopes the database can serve as a resource to the acoustics standards community, which is currently working on writing a model noise ordinance. He also hopes community members, lawmakers, and businesses will find the database helpful. When it's complete, it will be uploaded to the Noise Pollution Clearinghouse's website at <http://www.nonoise.org>.

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