

Posted 8/6/12

Last Revision: 10/19/12

Background Information

The Public Safety Committee of Asheville City Council is considering revisions to the city's noise ordinance. The City uses a "reasonableness standard" rather than decibels to identify violations of the noise ordinance.

Noise is any sound or combination of sounds which, because of its volume or quality, tends to disturb reasonable persons of normal sensitivity or to interfere with normal human activity. [Section 10-82 (c)]

A noise disturbance is any unreasonably loud and raucous sound or noise which

1. Endangers or injures the health or safety of humans or animals;
2. Endangers or injures personal or real property; or
3. Disturbs a reasonable person of normal sensitivity. [Section 10-82 (d)]

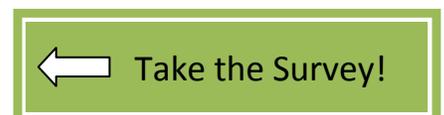
In determining if a noise would disturb a "reasonable person," officers use factors defined in the noise ordinance as one tool. The following revisions are being considered and, if adopted, would be used as factors when officers evaluate whether a noise would be considered a disturbance:

1. Defining day as 7 a.m. to 11 p.m. and night as 11 p.m. to 7 a.m.
2. Adding the following items to the list of activities that should not be engaged in so as to cause a noise disturbance: yelling, shouting, parties, sounding of a security alarm for more than 20 minutes after the owner or responsible party has been notified by law enforcement personnel

To view the entire noise ordinance, including all the activities already included as activities tending to produce a noise disturbance when conducted in an unreasonable manner, click [here](#). To learn more about the complaint and appeal process, follow this [link](#).

Community Input Process

Feedback will be gathered through an online survey that can be found at: https://www.surveymonkey.com/s/noise_ordinance_revisions.



Results of the survey will be analyzed and presented to the committee. If you are interested in taking the survey in a different language, please call Dawa Hitch at 259-5981.

Residents who prefer sending stand alone comments over taking the survey can send an email to sm1@ashevillenc.gov with a subject line of “Noise Ordinance Comment.” Residents may also send correspondence to City of Asheville, Community Relations Division, ATTN: Noise Ordinance, PO Box 7148, Asheville, NC, 28802 or call 259-5604. Stand alone comments will be provided to the committee along with the results of the survey.

In addition to the survey, city staff will hold a **public input meeting** on Monday, August 27 from 6:30 – 8 p.m. The meeting will be held at the William Randolph School located at 90 Montford Avenue, Asheville and will consist of breakout sessions where small groups will be able to discuss the proposed revisions and learn about steps being taken to make participation in the formal complaint process easier.

HELP SPREAD THE WORD! Download and print copies of the [public input meeting flyer](#) and distribute through your neighborhood or stakeholder group. Or, you can pick up copies at City Hall. Call Marsha Stickford at 259-5506 to arrange a pick-up time.

Finally, City staff will also be available to attend established neighborhood and business group meetings from August 15 – September 14. Residents can contact Neighborhood Coordinator Marsha Stickford at mstickford@ashevillenc.gov or 259-5506 to request attendance.

Timeline

August 1998	City holds public meeting to hear concerns of residents about the existing noise ordinance
1998-2000	Committee of residents and public officials meet periodically to rewrite the ordinance.
June 2000	City Council approves new ordinance
March 26, 2012	City Council Public Safety Committee hears concerns about current noise ordinance and directs staff to propose revisions Staff Report Minutes
June 25, 2012	Staff presents proposed noise ordinance revisions and operational updates.

	<p>Committee supports moving forward with a public input process.</p> <p>Staff Report Proposed Ordinance Minutes</p>
August 6, 2012	Survey Launched, Press release about community meeting and input options released
August 17, 2012	Press release about community meeting and availability of printed flyers sent.
August 27, 2012	Update committee on electronic community input to-date
August 27, 2012	Community Input Meeting Scheduled from 6:30 – 8 p.m. The meeting will be held at the William Randolph School located at 90 Montford Avenue
September 14, 2012	Last day to complete the online survey and submit stand alone comments in order to be included in the Sept. 24 report out to the Public Safety Committee
September 24, 2012	<p>Present Findings to Public Safety Committee</p> <p>Staff Report</p> <p>Survey Response Charts</p> <p>Survey Comments (PDF)</p> <p>Survey Comments (Excel)</p> <p>Open ended Filed For (Excel)</p> <p>Open ended Filed Against (Excel)</p> <p>Open ended zip code (Excel)</p> <p>Open ended definition of day/night (Excel)</p> <p>Additional Resident Input Submitted</p>
November 13, 2012	Staff Report on proposed revisions scheduled to be presented at City Council meeting