



# City of St. Petersburg

## NOISE ORDINANCE PUBLIC MEETING NOTES

10/26/16

### City Staff in Attendance:

Dave Goodwin, Planning & Economic Development Department Director  
Mark Winn, Assistant City Attorney  
Elizabeth Abernethy, Zoning Official

### City Acoustical Consultant:

Michael Keene, PE, Keane Acoustics

### Question & Answer – Notes organized by subject:

#### Stakeholder ID

- How was it done?
- Interested parties & associations
- Expand list of businesses

#### Mechanical Equipment & Noise

- Are the noise research numbers accurate?
- Grove Financial – audible a block away; good working condition? How can staff check this on private property?
- Birchwood – extra equipment for ballroom is an on-going issue, particularly when they need to cool down the ballroom/@ 80db
- A/C units – new construction
- Eliminate separate noise standard for A/C?
- Private property limits and “in good working condition” clause make enforcement difficult
- Can building department certify noise compliance at the time of permitting?
- Retroactive code for Mechanical Equipment?
- Urban Construction Task Force – found that energy efficient new HVAC equipment is significantly quieter

#### Frequent Violators

- Tryst
  - Live performances; live performers bring speakers
  - Sidewalk pedestrian path is blocked regularly
- Caddy's
- Jannus Landing – time cut-off is adhered to Caddy's rep
- Speakers in bars facing out toward the public sidewalk
- Birchwood rooftop mechanical equipment

### Sidewalk Cafes

- Operators need acknowledgement of rules, including noise limits, at annual renewal
- Upcoming inspections by staff to review for compliance
- Staff needs to prioritize the list based on known issues

### General Noise Concerns

- Street performers with speakers
- Truck backing – “beeping”

### Enforcement

- What is process for repeat violators? (Frescos lost in court)
- Enforcement should not be “victim” based
- Victim is needed to enforce ordinance in court (response from Mark Winn)
- Enforcement should be with City staff, not police
- Not enforced – police process is based on complaint only, need general enforcement program/policy
- Offer of access to balconies for measurements for staff to gather data
- Readings from phone app helpful?
- Night inspections for compliance is needed
- Need to consider a reduction in 3,000 feet distance for performance venues – too far
- Need for simple ordinance (response from Police)

### Fines

- Need to be meaningful
- Escalating fines are needed with a revoking of license for 30-days upon third violation
- Increase fines; desire for staff to bring an ordinance within 30 days
- Current Fines are \$225 for first offence/\$350 for second offence and \$500 for third offence, per Mark Winn(change 3<sup>rd</sup> to loss of license)

### Sound

- Bass/low frequency sound – should there be octave band limits? (Mike)
  - Question on OSHA Standard for workers
- Deafness thresholds, 85db over 8 hrs / 90db over 4 hrs / 95db over 2 hrs (Per Mike Keane)

### What is working in other cities?

- New York City – noise dampening methods should be researched

### Meetings

- 4 meetings over last couple of years – concern that there has been no action by staff
- Next meeting to be scheduled in 1 month
- Staff to send meeting summary and PowerPoint presentation to stakeholders and attendees

