

MINUTES
Public Hearing of the College Park City Council
Tuesday, August 14, 2007 – 7:30 P.M.

07-O-16

**An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland,
Amending City Code, Chapter 138 “Noise” To Incorporate The Use Of dB(C) When
Measuring Sound.**

PRESENT: Mayor Brayman; Councilmembers Krouse, Catlin, Perry, Fellows, Stulich, Hampton and Cook. Student Liaison Danielle Kogut.

ABSENT: Councilmember Milligan

ALSO PRESENT: Joe Nagro, City Manager; Fred Sussman, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant To The City Manager; Steve Halpern, City Engineer, Bob Ryan, Director of Public Services.

Mayor Brayman opened the Public Hearing at 7:40 p.m. and invited Bob Ryan to provide an overview. Mr. Ryan stated that the proposed ordinance would amend Chapter 138, the noise ordinance, to allow Code Enforcement Officers to use the “C” scale on their noise meters to better measure the bass level of sound. The Committee For A Better Environment originally raised the issue. The City uses the Rutgers University noise program for consulting and training. The Rutgers consultant has reviewed the ordinance and recommends adoption of this provision that would allow using the “C” scale to measure bass noise. Currently, the only way to address bass noise is for two complainants to submit a noise complaint that results in a noise board hearing, which could lead to a municipal infraction. The more common practice today is for the City to issue noise municipal infractions after a Code Enforcement Officer has taken a measurement on a noise meter based on a complaint or on an observation made during a patrol. However, under the current ordinance, only the “A” scale on the noise meter is utilized. The proposed change would allow the use of the “C” scale. The one unique feature of this amendment is that officers would need to enter the property of the complainant to take a noise measurement. This is because it is difficult to take “C” scale readings outside because of ambient noise.

Councilmember Fellows asked how one would determine, from inside a house, which location outside the house is the source of the bass noise. Mr. Ryan replied the officer would have to step outside to make that determination. In addition, Code Enforcement Officers would receive new training on how to take “C” scale measurements.

Councilmember Perry asked if the meters the City currently uses can take “C” scale measurements. Mr. Ryan responded “yes.” Councilmember Perry asked if other jurisdictions have adopted this measurement scale. Mr. Ryan replied “yes.”

Mr. Ryan stated that this ordinance applies only to measurements taken of bass noise coming from a fixed location – for instance, a car driving down the road cannot be cited. But a car parked in front of a house with a loud stereo playing can be cited.

Mayor Brayman invited public comment.

There was no public testimony on this proposed ordinance, and the Public Hearing was declared closed at 7:50 p.m.

Janeen S. Miller, City Clerk