



Chapter 5.03 – Outdoor Amplified Sound Permit Amendments

**Karl Rimkus, Operations Manager
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“Delivering Outstanding Services”



1. Strategic Goal

- Goal 1.6 – Provide business friendly permitting and inspection process



2. Current Permit Requirements

- Permit required if outdoor area is within 350 feet of a residential property and outdoor amplified sound is emitted after 10 p.m.
- Outdoor amplified sound must cease at 12:00 a.m.
- Sound Impact Plan is required, but noise control measures are not required
- Sound may not exceed 70 dB at the establishment's property line
- Area of DMD exempt north of Paisano Dr.



3. Amendments for Extended Hours Permit

- Permit required for **extended hours** if outdoor area is within 350 feet of a residential property and outdoor amplified sound is emitted after 12:00 a.m.
- Outdoor amplified sound must cease at 2:00 a.m.
- Sound Impact Plan is required, and noise control measures are required to be included in the plan
- Sound may not exceed 70 dB at the establishment's property line
- Effective Oct. 1, 2019



4. Noise Control Measures Certification

- Noise control measures must be certified by an independent third party as an effective method of controlling noise at the outdoor area. The certification process shall require testing of the measures in accordance with a procedure maintained by the permit official and a signed statement of completion from the independent third party verifying that the measures were properly installed or constructed and tested in accordance with the procedure.
- Noise control measures shall be documented in the establishment's Sound Impact Plan and shall be verified by a designated City inspector as being installed or constructed at the establishment.



5. Independent Third Party

- *Independent third party* means an engineer or architect that has demonstrated experience in the fields of acoustics, physics, or sound engineering and that holds a professional license in accordance with a state statute, or a consultant for professional services that holds a license or certification in a field related to acoustics or noise control from a nationally-accredited organization.



6. Effect on Existing Permit

- Noise control measures must first be installed before applying for an extended hours permit
- If an establishment has an existing outdoor amplified sound permit, it may apply for an extended hours permit, or cease to emit outdoor amplified sound at 12:00 a.m.
- An application for extended hours permit shall be identical in process to a standard outdoor amplified sound permit, including required public notice
- If an extended hours permit application is approved, the establishment's existing permit is superseded; if withdrawn, canceled or denied, the existing permit remains in effect



7. Other Minor Revisions

- Permit application fee for extended hours permit will be waived until January 1, 2021
- Update to definition of “operations” to clarify that intermittent amplified sound to communicate with customers does not in itself require a permit (ensures drive thru restaurant loudspeakers do not require a permit, for example)



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Testing Procedure

