

City of Alexandria, Virginia

Alexandria Noise Ordinance

Introduction and First Reading of
Necessary Changes to Noise Ordinance
in Phased Approach

City Council
May 11, 2021



Council Guidance for a Phased Approach



Phase 1 Revision

Spring 2021

- Adopt primarily **administrative changes** to make ordinance legally enforceable and
- 1 policy change to add property use category

Revision 2 Revisions

Summer 2021

- Ordinance update will inform enforcement approach
- Adopt Phase 2 revised ordinance text
 - **incorporating necessary changes and proposed policy changes**
- Public outreach

Fall 2021

- Council consideration

Four Categories of Legally Necessitated Changes to City Noise Ordinance



1. Remove vague and subjective language compelled by *Tanner v. Virginia Beach*, 277 Va. 432 (2009)
2. Remove provisions subject to federal or state preemption
3. Civil and criminal penalties section provides procedures for civil and criminal enforcement
4. Remove provisions that contain a “presumptions of violation” clause

One Proposed Policy Change to Noise Ordinance



Addition of **Institutional Property Use Category**

Any property that is operated by a:

- *government, nonprofit, or quasi-public use or institution:*
- *library, public or private school, religious institution,*
- *hospital, convalescent home, nursing home, continuum of care facility, or municipally owned or operated building, structure, or land used for public purposes.*

Maximum Permissible Level: **60 dB(A)**

Why this one policy change?

- In most cases, predominant use provisions will continue to determine appropriate noise standard
- Minimal policy impact but important to provide clarity and set expectations for type of use

Recommendation



- Consider the ordinance on first reading
- Docket for second reading and final passage on Saturday, May 15, 2021