

CHAPTER 122  
~~HISTORIC ENTERTAINMENT~~ SOUND DISTRICT

AN ORDINANCE TO ADD A NEW CHAPTER 122 (~~HISTORIC ENTERTAINMENT~~ SOUND DISTRICT) TO TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor Ordains:

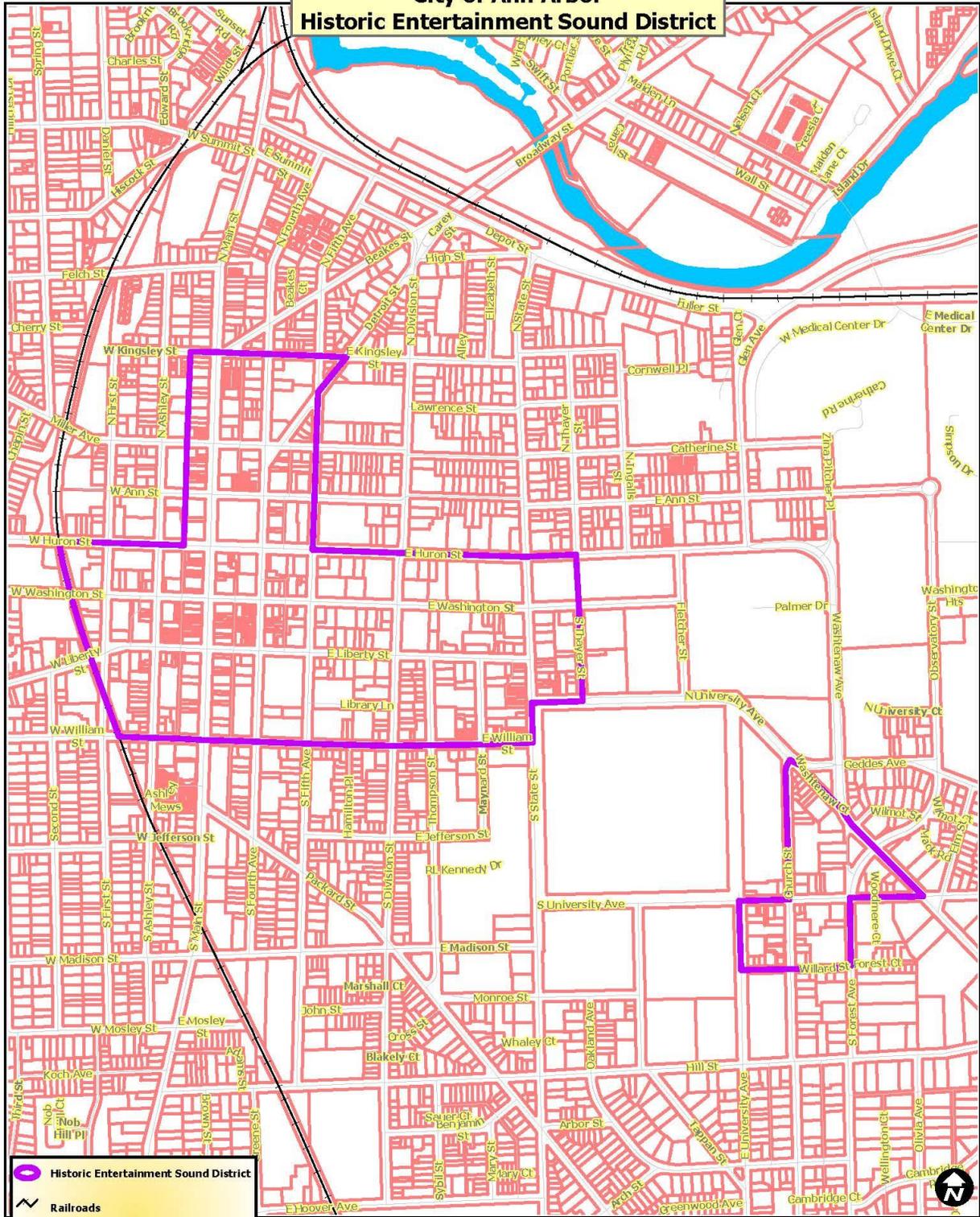
Section 1. That Title IX of the Code of the City of Ann Arbor be amended to add a Chapter 122 (~~Historic Entertainment~~ Sound District) to read as follows:

9:520. ~~Historic Entertainment~~ Sound District – Intent.

The ~~Historic Entertainment~~ Sound District is a district of mixed uses of property in close proximity to one another. It is recognized that people occupying premises in the ~~Historic Entertainment~~ Sound District must reasonably expect a greater likelihood of audible sounds from nearby locations than people residing in other districts. However, no person providing or permitting musical performances or other entertainment activities in the ~~Historic Entertainment~~ Sound District should do so in a manner that causes undue hardship or disturbance of persons making lawful use of nearby premises. It is the intent of this section to establish standards that are a reasonable measure for determining undue hardship or disturbance in the ~~Historic Entertainment~~ Sound District.

9:521. ~~Historic Entertainment~~ Sound District – Boundary.

# City of Ann Arbor Historic Entertainment Sound District



-  Historic Entertainment Sound District
-  Railroads
-  Tax Parcels
-  Huron River



Map date: 2/6/2020  
 Any aerial imagery is circa 2018  
 unless otherwise noted  
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#### 9:522. Definitions.

The following terms as used in this Chapter shall have the following meanings:

- (1) *dB(A)*. The intensity of a sound expressed in decibels read from a calibrated sound level meter utilizing the A-level weighting scale and the fast meter response, as specified in American National Standards Institute standard S 1.4-1971 or the most recent revision.
- (2) *Ambient (Background) Sound Level*. The sound level of the all-encompassing sound associated with a given environment, being usually a composite of sound from many sources and excluding the specific sound under investigation.
- (3) *Continuous Sound*. Any sound which does not vary in sound level more than five dB(A) during a measurement period which shall be at least 30 minutes.
- (4) *dB(C)*. The C-weighted sound-pressure level in decibels, as measured by a general purpose sound level meter complying with the provisions of the American National Standards Institute in Specifications for Sound Level Meters (ANSI S1.4 1983 or the most recent revision), properly calibrated and operated in accordance with this and other applicable standards and in accordance with manufacturer's instructions.
- (5) *Impulsive Sound*. Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts and the discharge of firearms.
- (6) *Place of Public Entertainment*. Any location, exterior, or interior, to a building that regularly permits public entrance for entertainment purposes. For this purpose, "public" means citizens of all types, including but not limited to, children, and private or public employees.

#### 9:523. Applicability.

The prescribed maximum sound levels contained in this Chapter apply to continuous sound and impulsive sound produced during and associated with musical performances or other entertainment activities within the boundaries of the ~~Historic Entertainment~~ Sound District, except for sound specifically exempted from this Chapter. The types of sound to which this Chapter applies include, but are not limited to, tones, impact sound, sound emitted by speaker boxes, sound produced through the use of amplification devices, ~~and the sound of pick-up and delivery trucks~~ and any other commercial or industrial activities associated with the musical performance or entertainment activity. Sound produced by other than musical performances or entertainment activities shall be subject to the provisions of Chapter 119 (Noise Control) of Title IX.

#### 9:524. Regulations

(1) No person shall produce, cause to be produced, or allow to be produced, by any means, any continuous sound on any private or public property at a level that exceeds the maximum sound levels prescribed in this Chapter as determined by averaging the sound levels during a six-minute period as measured using the method of sound measurement prescribed in this Chapter.

(2) In the case of sound that is impulsive or not continuous, no person shall produce, cause to be produced, or allow to be produced, by any means any such sound that exceeds the sound level prescribed in this Chapter more than two (2) times in a minute as measured using the method of sound measurement prescribed in this Chapter.

9:525. Maximum Sound Levels.

The maximum sound levels that shall not be exceeded are as follows:

	Decibel Levels					
	Sunday through Thursday			Friday and Saturday		
	7:00 a.m. to 11:00 p.m.	11:00 p.m. to <del>2:00</del> <u>7:00</u> a.m.	<del>2:00 a.m. to 7:00</del> a.m.	7:00 a.m. to 1:00 a.m.	1:00 a.m. to <del>2:00</del> <u>7:00</u> a.m.	<del>2:00 a.m. to 7:00</del> a.m.
<b>Historic Entertainment Sound District</b>	85 dB(A)/ <del>87 dB(C)</del> <u>80</u> dB(A)/ <u>82 dB(C)</u>	75 dB(A)/ <del>81 dB(C)</del> <u>60</u> dB(A)/ <u>70 dB(C)</u>	<del>65 dB(A)/</del> 75 dB(C)	85 dB(A)/ <del>87 dB(C)</del> <u>80 dB(A)/</u> <u>82 dB(C)</u>	75 dB(A)/ <del>81 dB(C)</del> <u>60</u> dB(A)/ <u>70 dB(C)</u>	65 dB(A)/ <del>75 dB(C)</del>

Where the ambient sound level exceeds the prescribed sound levels contained in this Chapter, then the ambient level becomes the allowable exterior sound level.

9:526. Exemptions

The following types of sound are exempt from the provisions of this Chapter:

- (1) Sound from temporary construction and maintenance activities between 7 AM and 9 PM except Sundays and federal holidays.
- (2) Sound from safety signals, emergency equipment and vehicles, warning devices and emergency pressure release valves and law enforcement activities, including training.
- (3) Sound from motor vehicles such as automobiles, trucks, airplanes, motorcycles, and trains on railroads.

9:527. Method of Sound Measurement

All measurements shall be made with a sound level meter at a measuring height of 4- feet. The sound level meter shall be calibrated in accordance with the meter manufacturer's recommendations. As necessary, a windscreen shall be utilized with the sound level meter. The measurements shall in general be made in accordance with the standards as promulgated by the American Society for Testing and Materials guidance. Measurements shall be made ~~at 50 feet from the real property line of the property generating the sound.~~ in the public right-of-way immediately adjacent to the property of the noise source.

9:528. Penalty.

A violation of this Chapter is a civil infraction subject to a fine of up to \$1,000 plus costs and all other remedies available under state law for a municipal civil infraction violation.

Section 2. This Ordinance shall take effect ten days after passage and publication.