

Date: July 12, 2022
To: To Whom It May Concern
From: The Behlings
Subject: Hearing before Planning Commission on Noise

Statement

We need a science based noise ordinance with decibel limits, here's why:

Background

We have lived at 230 S. 999 W. for decades. Loud intrusive noise has been a part of our lives since 1985 as we have heard about ninety parties in our area. Some had DJs, live bands (both with an assortment of music venues) or other ways of making noise. What is most noticeable is yelling, screaming and the level of base. The recent parties start about 8:00 P.M. and finish around 10:30 P.M., and some have been heard at 3:00 A.M.

Rockville has an existing ordinance requiring compliance of local, state and federal regulations including noise, which has a bearing here. My husband has conducted about five hundred noise surveys with noise assessment and control evaluation. His experience included evaluating parties at the clubs in Las Vegas. The majority of the parties exceeded OSHA standards. The clubs had to implement hearing conservation programs. It was common to measure levels at 105 dBA at the source, which causes permanent hearing loss in one hour. So he suspects some of the levels at parties and events here are approaching those levels at the source and some may have experienced permanent hearing loss and not know it. **So we are not just talking about a nuisance, but a health hazard for anyone exposed to loud noise.**

Findings

Levels measured here by my husband with an instrument, which integrates and averages data, showed loud party noise exceeding Springdale's and many other county and city ordinances across the nation with decibel based limits. Written witness statements are reaffirming his observations that these parties are loud. The noise can be audible up to .7 miles away.

Party Inventory

He has a log of recent loud noisy out of control parties around us and shows significant yearly increases from 2020 as follows:

Year	Number of parties	Comments
2020	1	
2021	13	
2022	18	held as of July 3rd

He defines loud noise as noise which creates a nuisance or health hazard. Out of control means that all the necessary engineering and administrative controls to reduce loud noise to healthful or nuisance levels **are not used.**

Who's creating the parties/events

Land owners around us are providing the permission, infrastructure and land. The promoters or others contract services of DJs, bands or their companies. Property managers basically see that parties don't damage the property. **However, there is little noticeable security at these parties to control the level of noise to healthful or below nuisance levels and those in charge have not made the effort of control even after being told several times that a community noise problem exists.**

The DJs and the bands create the problem by using PA systems, lights, etc. getting the attendees yelling, screaming, singing with a lot of base. **Consider adding to the proposed ordinance, a provision for licensing of DJs, bands or their companies operating commercially as they do business in town.** Generally, their business address is outside of town and currently exempt from licensing locally. Develop and implement a policy to address noise complaints and consider some type of action to change their behavior. Many cities use complaint forms for any issue that can be completed online.

Ramifications of the parties

Most attending these parties/ events are law abiding citizens out for a good time, but not all. We remember the biker gang parties and others in west Rockville with illegal drugs and very violent people.

Conclusion

The recent significant increases in loud uncontrolled noise are impacting many residents of Rockville. The current noise ordinance relating to creating a nuisance from 10:00 P.M. to 7:00 A.M. is totally **subjective and not based in science**, leaves long periods unregulated, fails to define what loud noise is and it's up to the evaluator on what is considered excessive and a nuisance. The current ordinance does not deter individuals, who would come to our area, become violent and create chaos. The proposed ordinance is science-based containing decibel limits. **Whether you are in favor or opposed to this proposed ordinance, it will give you ways to better comply because it will be evidence-based not subjective.**