

CLERK'S OFFICE
APPROVED
Date: 5-22-01

Submitted by: Assembly Member Tesche and
Chairman of the Assembly
at the Request of the Mayor
Prepared by: Department of Health and
Human Services
For reading: May 8, 2001



ANCHORAGE, ALASKA
AO NO. 2001-97

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 15.70 TO
MODIFY THE TIME OF DAY WHEN A PERMIT IS REQUIRED FOR AMPLIFIED
SOUND AND TO PROVIDE FOR THE MONITORING AND LIMITATION ON THE
TRANSMISSION OF LOW FREQUENCY AMPLIFIED SOUND

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 15.70.030A. is hereby amended by adding
or amending the following definitions as indicated (*other definitions in the referenced section
are not affected and therefore not set out*):

15.70.030 Definitions.

A. The following words, terms and phrases, when used in this chapter, shall have the
meanings ascribed to them in this section, except where the context clearly
indicates a different meaning:

Amplified sound means the operation or playing of any radio, television, DVD,
cassette player, compact disk, boom box, phonograph, drum, other musical
instruments, sound amplifier or similar devise that produces, reproduces or
amplifies sound, including music.

'A' weighted sound level means the sound pressure level in decibels as measured
on a sound level meter using the A-weighting network, [THE LEVEL OF
WHICH SO READ IS DESIGNATED Db(a) OR Dba], using a sound level
meter meeting the standards set forth in American National Standards Institute
specifications for sound level meters (ANSI S1.4-1983 or the latest approved
revision thereof). The unit of reporting is dB(A). Sounds measured with the 'A'
weighting network approximates the response of human hearing when measuring
sounds of low to moderate intensity.

Ambient sound level means that measured value which represents the summation of the sound from all the discrete sources affecting a given site at a given time, exclusive of extraneous sounds and those from the source under investigation. Ambient sound level is often referred to as neighborhood residual sound level or background sound level. Ambient sounds are differentiated from extraneous sounds by the fact that the former are more steady state, although they may not be continuous.

'C' weighted sound level is the sound level as measured using the 'C' weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The 'C' weighting network is more sensitive to low frequencies than is the 'A' weighting network.

Continuous sound means any sound with a duration of more than one second, as measured with a sound level meter set to the 'slow' meter response.

Extraneous sound means a sound which is transient in nature and is neither part of the ambient sound, nor comes from the sound source under investigation. Examples of extraneous sound include automobile horns and brakes, air transport vehicles, people shouting and dog barking.

Total sound level means that measured level which represents the summation of the sounds from the sound source under investigation and the ambient sounds which affect a given place at a given time, exclusive of extraneous sound sources.

Section 2. Anchorage Municipal Code subsection 5.70.060B. 5.a. is hereby amended to read as follows:

15.70.060 Prohibited acts and conditions.

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B. The following acts and conditions and the causing thereof are declared to be in violation of this chapter:

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15. *Radios, televisions, musical instruments and similar devices.* Except as otherwise permitted for noncommercial spoken language in subsection B.8 of this section, no person shall operate, play or permit the operation or playing of any radio, television, phonograph, DVD, cassette player, compact disk, boom box, drum, other musical instruments, sound amplifier or similar device that produces, reproduces or amplifies sound:

- a. [BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. THE FOLLOWING DAY] In [IN] such a manner as to create a noise disturbance across a real property boundary or within a noise-sensitive zone, except for activities open to the public and for which a permit has been issued by the department as provided in section 15.70.070A.;

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Section 3. Anchorage Municipal Code section 15.70.080 is hereby amended to add subsection D. to read as follows (*other definitions in the referenced section are not affected and therefore not set out*):

15.70.080 **Property line noise emission standards.**

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- D. Notwithstanding the above provisions in this section, no person shall cause, suffer, allow or permit the operation of any amplified sound on private property in such a manner that it raises the total sound levels of the permissible sound limits set forth in Table 2 when measured within the residence, dwelling, or building structure of a complainant. If the source of sound is amplified sound on private property, and the complainant states that the rhythmic bass component of the music is disturbing within their residence, dwelling, or building structure, then the noise enforcement officer may take sound level measurements within the residence, dwelling, or building structure of the complainant. These sound level shall be measured using the 'C' weighted sound level, with the sound level meter set for 'C' weighting, 'fast' response. Such measurements shall not be taken in areas that receive only casual use, such as hallways, closets and bathrooms. For the purposes of these measurements, the ambient sound level is that sound level which is measured in the residence, dwelling, or building structure when the sound source under investigation is not prominent, or in a room on the same floor that is relatively unaffected by the sound source under investigation. The 'C'-scale is more sensitive to low frequency sound levels than the 'A'-scale; an increase of 3dB is perceived by humans as being plainly audible, an increase of 5dB is plainly louder and an increase of 10dB is perceived as being twice as loud.

Maximum Permissible Sound Level Limits
(Indoors across a real property line)

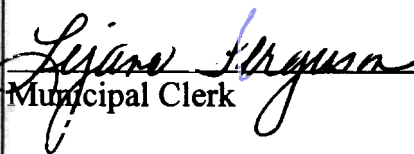
Weeknights 10:00 p.m. – 7:00 a.m.	3dB(C) above ambient sound levels
Friday, Saturday and Holidays 11:00 p.m. – 7:00 a.m.	3 dB(C) above ambient sound levels
<u>All Other Times</u>	<u>5 dB(C) above ambient sound levels</u>

Section 4. This Ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Assembly this 22 day of May, 2001


Chair of the Assembly

ATTEST:


Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2001- 97

Title: An Ordinance Amending Anchorage Municipal Code Chapter 15.70 to Modify the Time of Day When A Permit Is Required For Amplified Sound and To Provide For the Monitoring and Limitation on the Transmission of Low Frequency Amplified Sound

Sponsor: Assembly Member Tesche and Chair of the Assembly at the request of the Mayor

Preparing Agency: Department of Health and Human Services

Others Impacted: Cultural and Recreation and Traffic Engineering

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY01	FY02	FY03	FY04	FY05
Operating Expenditures					
1000 Personal Services	0	0	0	0	0
2000 Supplies	0	0	0	0	0
3000 Other Services	0	0	0	0	0
4000 Debt Service	0	0	0	0	0
5000 Capital Outlay	0	0	0	0	0
TOTAL DIRECT COSTS:	0	0	0	0	0
Add: 6000 Charges from Others	0	0	0	0	0
Less: 7000 Charges to Others	0	0	0	0	0
FUNCTION COST:	0	0	0	0	0
REVENUES:	0	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS: FT/PT and Temp.	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

None are projected at this time, since implementation and enforcement will be handled by current public health code enforcement officers

PRIVATE SECTOR ECONOMIC EFFECTS:

The science used in this new protocol is too new to determine potential costs to businesses. Assessment instruments can be put in place to compile information and the findings submitted to the Assembly at the end of the year, along with a general report on noise issues within Anchorage.

Prepared by: Lura Morgan - DHHS

Telephone: 343-4065

Validated by OMB: [Signature]

Date: 5/7/01

Approved by: [Signature]
 (Director, Preparing Agency)

Date: 5/5/01

Concurred by: [Signature]
 (Director, Impacted Agency)

Date: 5/4/01

Concurred by: N/A
 (Director, Impacted Agency)

Date: _____

Approved by: [Signature]
 (Municipal Manager)

Date: 5/7/01