



TOURISM ADVISORY COMMITTEE (TAC)

May 19, 2015

Agenda

- **Chair's Report**
- **Update on Ordinance Revision**
- **Motor Coach Report**



**TOURISM ADVISORY COMMITTEE
MEETING SUMMARY
APRIL 21, 2015**

TAC Attendees: Vaughnette Goode-Walker, David Jones, Charlie Brazil, Bill Lovett, Mark Dana, Adam Wilkins, Michael Owens, Jamie Caskey, Eric Meyerhoff

TAC Absence: Joe Marinelli and Jamie Parks

City Staff: Bridget Lidy and Marija Bumgarner

Guests: Mickey Minick, Karen Brown, Samantha Meier, Jason Moore, Theresa Young, Taylor Watts, Dee Thompson

Chair's Report

Chair Goode-Walker opened the meeting by reviewing TAC's purpose according to the Tour Service for Hire ordinance:

Sec. 6-1547. Tourism advisory committee.

(b) Purpose: The tourism advisory committee shall make policy recommendations to the department of tourism and film services, city manager and mayor and aldermen in the areas of parking and routine of tourism-related traffic activities, the qualification and licensing of tour guides, and the enforcement of tourism management regulations and other related issues."

Chair Good-Walker continued by praising the recent Tourism Futures study conducted and presented by Visit Savannah. The study provides insight into strategies for tourism development and will be helpful with the Tourism Management Plan. The study will be shared with the TAC.

Discussion topics did not follow the agenda.

Segway Policy

Chair Goode-Walker explained that several new companies coming into the market place, we want to make sure we have policies in place. Companies entering the market place include a second segway company, electric bicycle company, new trolley tour company, helicopter tour and walking tours. In the meeting packet, a chart showing the number current and incoming tour companies was shared with the TAC. Chair Goode-Walker stated saturation issues will further be discussed at upcoming TAC meetings.

Bridget Lidy stated that one segway company currently operates in Savannah. A second company has plans to operate in marketplace. With this growth, the existing policy needs to be updated. This will ensure compliance with State and local codes. This effort is creating the framework for segways to be included in the tour service for hire ordinance.



The following points were raised by the TAC:

- Should the policy also be applicable to individuals renting segways? In the purpose, add “or individual” to capture this suggestion.
- Under Hours of Operation, the times were discussed. It was agreed that operations should run after 4:30 p.m. This section needs to be clarified to address hours of operation.
- Number 7 under operations seems confusing. It should be single file.

Staff will review the suggestions of the TAC and continue to work with both segway companies to finalize the policy.

Quadracycles

Marija Bumgarner explained that since quadracycles were introduced to Savannah in 2010, the industry has grown from one company with one vehicle to two companies with a total of eight vehicles. Staff has been working on the following recommendations were formulated and presented to the TAC:

1. Additional Protection for Residential and Mixed-use Areas - The boundaries of the ordinance allow for quadracycles to travel in residential and mixed-use areas. To reduce the frequency quadracycles tour these zones, operational boundaries should be expanded to include the area north of Bay Street between Montgomery and Jefferson streets. The vehicles would use the signalized traffic signals to traverse Bay Street except for the period between 4:00 p.m. to 6:00 p.m. A tour stop would also be created on Williamson Street to support this expansion.
2. Congestion at Tour Stops - Quadracycles currently utilize the existing tour stops which add to the congestion of motorized tours to include trolleys and motor coaches. It is recommended that three existing passenger loading zones be converted into 24-hour enforcement at these locations:
 - Johnson Square: 00 block of E. Congress in front of BB&T Bank
 - Ellis Square: 200 block of W. Congress in front of B&D Burger
 - Wright Square: 00 block of E. York Street in front of Cora Bett Thomas RealtyAnother suggestion is to convert an existing 8:00 a.m. to 6:00 p.m. freight zone on the 200 block of E. Bryan to a passenger loading zone from 6:00 p.m. to 10:00 p.m. Coordination will need to occur with City Market to expand an existing tour stand on the east side of St. Julian.
3. New Routes - On a busy day, the quadracycles typically travel Bull Street up to 28 times. By expanding their boundaries and parking options, the vehicles will be able to use multiple routes and not traverse the same areas.

Staff reported that Traffic Engineering, Mobility and Parking Services and TMAD have vetted and approved these recommendations.



After discussion, members of the TAC approved recommending to the City Manager a 90-day trial for the quadricycles to expanding boundaries into more commercial areas, identifying additional stops and diversifying tour routes. One condition of their recommendation was to provide reports during the 90-day trial period using existing data (complaint logs, citations, etc.) to benchmark efforts. Staff stated they would report to the TAC once the trial period was approved.

Revisions to Tour Service for Hire Ordinance Sec. 6-1545

In reviewing the Tour Service For Hire Ordinance, a Sec. 6-1545 (b) of the code needs to be removed.

Sec. 6-1545. Loudspeakers and ~~recorded messages~~, activity outside of tours.

- (a) It shall be unlawful to operate loudspeakers outside tour service vehicles within the city; loudspeakers may be operated within the confines of tour service vehicles for the sole benefit of the passengers within the confines.*
- ~~(b) No tapes or recorded messages purporting to give information about the city's history or landmarks shall be used in tour service vehicles unless all of the information contained therein is true and factual. The tour services coordinator or his designated representative shall examine the tapes or recorded messages to determine if the information contained therein is true and factual.~~*
- (c) No sound shall be audible outside of the tour service vehicle.*
- (d) All activity associated with a tour, including but not limited to interaction with people, actors, other tours and props must be contained within the vehicle or method of conveyance (motor coach, bus, trolley, automobile, van, Segway's, bicycle, carriage, walking tours, etc.).*

Michael Owens made a motion to strike Sec. 6-1545 (b) of the Tour Service for Hire Ordinance; Jamie Caskey seconded the motion. The TAC approved the motion. Staff reported the changes will be presented to the City Manager for consideration at City Council's meeting on April 30.

The TAC further discussed reviewing Sec. 6-1545 (c) related to noise and defining audible noise from outside of the tour vehicle. A qualifier and measure needs to be determined. Michael Owens made a motion to have Sec. 6-1545 (c) be further vetted by the TAC; Charlie Brazil seconded the motion. The TAC approved the motion.

Tourism Management

Survey Update

Staff reported that 385 residential surveys were returned to the City/USC Beaufort. This represents +/- 5% of voting population which is on target. The tourism professional survey

Horse Heat Policy

The horse heat policy needs to be reviewed in time for the summer heat.



Next Meeting

The next meeting is scheduled for May 19, 8:30 a.m. in the 2nd Floor Media Room of City Hall.

DIVISION II - CODE OF GENERAL ORDINANCES
PART 6 - LICENSING AND REGULATION
CHAPTER 1. - BUSINESS AND OCCUPATIONS
ARTICLE R. TOUR SERVICE FOR HIRE

Sec. 6-1545. Loudspeakers and ~~recorded messages~~; activity outside of tours.

(a) It shall be unlawful to operate loudspeakers outside tour service vehicles within the city; loudspeakers may be operated within the confines of tour service vehicles for the sole benefit of the passengers within the confines.

~~(b) — No tapes or recorded messages purporting to give information about the city's history or landmarks shall be used in tour service vehicles unless all of the information contained therein is true and factual. The tour services coordinator or his designated representative shall examine the tapes or recorded messages to determine if the information contained therein is true and factual.~~

(c) No sound shall be audible outside of the tour service vehicle.

(d) All activity associated with a tour, including but not limited to interaction with people, actors, other tours and props must be contained within the vehicle or method of conveyance (motor coach, bus, trolley, automobile, van, segways, bicycle, carriage, walking tours, etc.).

ARTICLE B. - NOISE CONTROL

FOOTNOTE(S):

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Cross reference— Noise abatement procedures for aircraft operations, § 4-7506; loudspeakers and recorded messages for tour service, § 6-1545. ([Back](#))

Sec. 9-2031. - Title.

This article shall be known as the noise control ordinance for the City of Savannah, Georgia.

(Code 1977, § 9-2031)

Sec. 9-2032. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated. Definitions of technical terms used which are not herein defined shall be obtained from publications of acoustical terminology issued by the American National Standards Institute (ANSI) or its successor body.

- (1) *Ambient sound level.* The noise associated with a given environment, exclusive of a particular noise being tested, being usually a composite of sounds from many sources, near and far, exclusive of intruding noises from isolated identifiable sources.
- (2) *A-weighted sound level.* The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level is designated dB(A) or dBA.
- (3) *Construction.* Any site preparation, assembly, erection, substantial repair, alteration or similar action, for or of public or private rights-of-way, structures, utilities or similar property.
- (4) *Decibel (dB).* A logarithmic and dimensionless unit of measure used in describing the relative loudness or level of sound.
- (5) *Demolition.* Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.
- (6) *Emergency.* Any occurrence or set of circumstances involving actual or imminent physical or psychological trauma or property damage which demands immediate action.
- (7) *Emergency work.* Any work performed for the purpose of alleviating or resolving an emergency.
- (8) *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.
- (9) *Motorboat.* Any vessel which operates on water and which is propelled by a motor, including but not limited to boats, barges, amphibious craft, water ski towing devices and hovercraft.
- (10) *Motorcycle.* Any motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term shall include motorized bicycles and motor scooters.
- (11) *Motor vehicle.* Any motor-operated vehicle licensed for use on the public highways, but not including a motorcycle.
- (12) *Noise.* Any sound which disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
- (13) *Noise control officer.* The person designated by the city having responsibility for the enforcement of any provision of this article.
- (14) *Noise disturbance.* Any sound which endangers or injures the welfare, safety or health of human beings, or disturbs a reasonable person of normal sensitivities, or devalues or injures personal or real property, or as hereinafter defined.
- (15) *Noise-sensitive activities.* Activities which should be conducted under conditions of exceptional quiet, including but not limited to operation of schools, libraries open to the public, churches, hospitals and nursing homes.
- (16) *Noise-sensitive area.* Any area designated for the purpose of ensuring exceptional quiet and clearly posted with "noise-sensitive area" signs, because of the noise-sensitive activities conducted therein.
- (17) *Person.* Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, operative, state agency, municipality or other political subdivisions of this state, any interstate body or any other legal entity.

- (18) *Powered model vehicle.* Any self-propelled airborne, waterborne or landborne model plane, vessel or vehicle which is not designed to carry persons, including but not limited to any model airplane, boat, car or rocket.
 - (19) *Public right-of-way.* Any street, avenue, boulevard, highway, sidewalk, lane or similar place which is owned or controlled by a governmental entity.
 - (20) *Public space.* Any real property, including any structure thereon, which is owned or controlled by a governmental entity.
 - (21) *Pure tone.* Any sound which can be distinctly heard as a single pitch or a set of single pitches.
 - (22) *Real property boundary.* An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intrabuilding real property divisions.
 - (23) *Receiving land use.* The use or occupancy of the property which receives the transmission of sound as hereinafter defined.
 - (24) *Recreational vehicle.* Any race car, motorcycle or any other motorized vehicle equipped for use in racing or other recreational events or uses off of public right-of-way on public or private property.
 - (25) *Residential.* Any property on which is located a building or structure used wholly or partially for living or sleeping purposes.
 - (26) *Sound.* An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.
 - (27) *Sound level.* The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.
 - (28) *Sound level meter.* An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output or display meter, and weighting networks used to measure sound pressure levels, which complies with American National Standards Institute standard 1.4-1971 as revised.
 - (29) *Sound pressure.* The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.
 - (30) *Used or occupied.* Either word shall be deemed to include the words "intended, designed or arranged to be used or occupied."
- (Code 1977, § 9-2032)

Sec. 9-2033. - Exceptions.

The provisions of this article shall not apply to:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency.
- (2) The emission of sound in the performance of emergency work.
- (3) Agricultural activities, exclusive of those involving the ownership or possession of animals or birds.
- (4) Rail and air transportation and public mass transportation vehicles.
- (5) Church or clock carillons, bells or chimes.
- (6) The emission of sound in the discharge of weapons or in fireworks displays for which a permit has been issued.

(Code 1977, § 9-2033)

Sec. 9-2034. - Noise disturbance prohibited.

- (a) No person shall make, continue or cause to be made or continued, except as permitted, any noise disturbance, or any noise in excess of the limits for such noise established in this section.
 - (1) Maximum permissible sound levels. With the exception of sound levels elsewhere specifically authorized by this article, table I sets forth the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use. Any activity or use that produces a

sound in excess of such noise levels for a receiving land use shall be deemed a "noise disturbance" and is in violation of this article.

- (2) Measurement of sound. The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute or its successor body. The instrument shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specification. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured.

The measurement of all sound levels shall be made as close to the property line of the receiving land use as is practical. The measurement period shall not be less than ten minutes, and the sound levels measured shall not exceed the sound levels set forth in table I by more than ten percent of any measurement period.

TABLE I. SOUND LEVELS BY RECEIVING LAND USE

Zoning Category of Receiving Land Use ¹	Sound Level	
	Time ³	Limit dBA ⁴
Residential ²	7:00 a.m.—7:00 p.m.	60
	7:00 p.m.—7:00 a.m.	50
Business	At all times	65
Industrial	At all times	75
Noise-sensitive area	At all times	55

¹	As set forth in the zoning ordinance for the City of Savannah [part 8, chapter 3].
²	Any zoning district containing the letter "R."
³	Unless otherwise stated in the article.
⁴	For any source of sound which emits a pure tone, the maximum sound level limits set shall be reduced by five dBA.

- (b) The provisions of this section shall not apply to the operation of the following domestic power tools or equipment between the hours of 7:00 a.m. and 10:00 p.m.:
- (1) Electrical power tools.
 - (2) Motor-powered, muffler-equipped lawn, garden, and tree trimming equipment.
- (Code 1977, § 9-2034; Ord. of 12-14-2000, § 1)

Sec. 9-2035. - Specific activities prohibited.

- (a) *Emergency signaling devices.* No person shall operate or permit the intentional sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes or for testing. Such devices shall be equipped with an automatic cutoff terminating the signal 15 minutes after activation.
- (b) *Sales by hawking or barking.* No person shall offer for sale or sell anything by shouting or outcry within any residential or business area unless authorized by the City of Savannah.
- (c) *Loading and unloading.* No person shall so load, unload, open, close or handle boxes, crates, containers, building materials, refuse, garbage cans, motor vehicles, or similar objects between the

hours of 8:00 p.m. and 7:00 a.m. the following day as to create a noise disturbance across a residential real property boundary or within a noise-sensitive area.

- (d) *Vehicle or motorboat repairs and testing.* No person shall repair, rebuild, modify or test any motor vehicle, motorcycle or motorboat in such a manner as to create a noise disturbance across a residential real property boundary or outdoors within a noise-sensitive area.
- (e) *Powered model vehicles.* No person shall operate or permit the operation of powered model vehicles in a public or private space out-of-doors within 150 feet of a residential or noise-sensitive real property boundary or between the hours of 9:00 p.m. and 8:00 a.m. the following day.
- (f) *Musical instruments and similar devices.* No person shall operate, play or permit the operation or playing of any drum, musical instrument or similar device which produces sound in such a manner as to create a noise disturbance across a residential real property boundary or within a noise-sensitive area, subject to the provisions of section 9-2033 and section 9-2036 of this article.

(Code 1977, § 9-2035)

Sec. 9-2036. - Regulation of sound equipment and sound-amplifying equipment.

- (a) Except for activities for which a permit has been issued by the city under this section, no person shall so operate, play or permit the operation or playing of any radio, television, phonograph, amplifier, loudspeaker, or similar device so as to:
 - (1) Create a noise disturbance across a real property boundary or within a noise-sensitive area. However, bars, taverns, lounges, nightclubs, dancehalls, game rooms and similar activities which produce a noise that is plainly audible beyond the premises shall be deemed a noise disturbance in violation of this article.
 - (2) Create a noise which is plainly audible other than to the occupants, when such device is operated in or on a private motor vehicle on a public right-of-way or public space, or in a private boat on public waters.
 - (3) Create a noise which is plainly audible to any person other than the operator of the device, when operated on a common carrier or public right-of-way or public place or space.
- (b) *Sound equipment permitted.* Except as hereafter provided, no person shall use, operate or cause to be used or operated any radio, record player, tape deck or player, loudspeaker, amplifier, soundtrack or other device for producing, reproducing, or amplifying sounds, hereinafter referred to as "sound equipment," upon the public streets or in any building or upon any premises, public or private, so as to produce a noise disturbance. However, the following activities where authorized by the City of Savannah may use sound equipment which produces a sound not to exceed 90 dB(A)'s when measured at a distance of 50 feet from such equipment. Where the receiving land is residential, such equipment may be used only from 9:00 a.m. to 11:00 p.m.:
 - (1) Public health and safety purposes;
 - (2) Fairs, carnivals and similar activities;
 - (3) Parades, processions, excursions and associated festivities;
 - (4) Outdoor concerts and theatrical performances;
 - (5) Outdoor neighborhood functions such as lawn and pool parties, street dances and similar activities;
 - (6) Civic and religious celebrations;
 - (7) Recreational and athletic activities.
- (c) *Commercial advertising—Sound equipment prohibited.* No sound equipment shall be permitted to be used on public streets or public places or in any building or upon any premises if the sound therefrom may be plainly audible from any public street or public place when any such use is for commercial advertising purposes or for the purpose of attracting the attention of the public to any building or structure for monetary gain.

(Code 1977, § 9-2036)

Sec. 9-2037. - Motorized vehicles.

The following provisions shall apply to all motor vehicles requiring registration by the State of Georgia department of public safety:

- (1) No person shall operate the engine providing motive power, or an auxiliary engine, of a motor vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or more for a consecutive period longer than 20 minutes while such vehicle is standing and located within 150 feet of property zoned and used for residential purposes except where such vehicle is standing

within a completely enclosed structure. This section shall not apply to delivery or pickup vehicles that require the operation of the engine to unload or load their vending loads.

- (2) No person shall drive or move or cause or knowingly permit to be driven or moved a motor vehicle or combination of vehicles at any time in such a manner as to exceed the following noise limits for the category of motor vehicle shown below. Noise shall be measured at a distance of at least 25 feet (7.5 meters) from the near side of the nearest lane(s) being monitored and at a height of at least four feet above the immediate surrounding surface.

Source	Sound Pressure Level, dB(A)	
	Speed Limit 35 mph or Less	Speed Limit Over 35 mph
Motor vehicles with a manufacturer's gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,000 pounds or more, or any combination of vehicles towed by such motor vehicle, except those operated by an interstate motor carrier	91	95
Any other motor vehicle or any combination of vehicles towed by any motor vehicle	76	80

- (a) This section shall apply to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this article relating to motor vehicle mufflers for noise control.
- (b) No person shall operate or cause to be operated any motor vehicle unless the exhaust system of such vehicle is:
1. Free from defects which affect sound reduction;
 2. Equipped with a muffler or other noise-dissipative device; and
 3. Not equipped with any cutout, bypass or similar device.

(Code 1977, § 9-2037)

Sec. 9-2038. - Construction.

- (a) No person shall operate or permit the operation of any tools or equipment in construction, drilling, demolition work, or in preventive maintenance work for public service utilities:
- (1) Between the hours of 7:00 p.m. and 7:00 a.m., in any manner which creates a noise disturbance across a real property boundary or within a noise-sensitive area;
 - (2) At any other time, in any manner which creates a noise disturbance across a real property boundary or within a nonsensitive area; for purposes of this subparagraph [subsection], a sound level at or across a real property boundary or within a noise-sensitive area in excess of 85 dBA shall be deemed a noise disturbance.
- (b) The provisions of this section shall not apply to:
- (1) Emergency work or repair work performed by or for governmental entities or public service utilities.
 - (2) The use of domestic power tools or equipment as set forth in section 9-2034(b) of this article.
 - (3) Construction equipment that has attached in good operative condition the best noise-attenuating device as recommended by the manufacturer.

(Code 1977, § 9-2038; Ord. of 12-14-2000, § 1)

Sec. 9-2039. - Animals and birds.

No person shall own, possess or harbor any animal or fowl which howls, barks or emits audible sounds that are unreasonably loud or disturbing and which are of such character, intensity and duration as to disturb the peace and quiet of the neighborhood. For the purposes of this article, "barking dog" shall

mean a dog that barks, bays, cries, howls or makes any other noise continuously and/or incessantly for a period of ten minutes or barks intermittently for one-half hour or more to the disturbance of any person at any time of day or night regardless of whether the dog is physically situated in or upon private property; provided, however, that a dog shall not be deemed a "barking dog" for purposes of this regulation, if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated or for any other legitimate cause which teased or provoked the dog.

(Code 1977, § 9-2039)

Sec. 9-2040. - Variance.

(a) *Variance permit.* A variance permit to cause or create a noise at sound levels which would otherwise be in violation of this article may be granted by the city manager [provided] that:

- (1) Additional time is necessary for the applicant to alter or modify the activity in order to comply with the provisions of this article; or
- (2) The activity, operation or noise source will be of a temporary duration and cannot be done in a manner that would comply with the provisions of this article; and
- (3) No reasonable alternative is available to the applicant.

(b) *Conditions.* Any person [permit] granted pursuant to this section shall contain thereon all conditions upon which said permit has been granted, including but not limited to the effective date, time of day, location, sound level or equipment limitation. Application for such a permit shall be made through the city manager's office.

(Code 1977, § 9-2040; Ord. of 12-14-2000, § 1)

Sec. 9-2041. - Administration, appeals and penalties.

- (a) The noise control officer shall implement, administer and enforce the provisions of this article and shall issue orders requiring the abatement of all violations and the revocation of permits issued.
- (b) Any person aggrieved by a decision or order rendered by the noise control officer, after exhausting all administrative remedies, shall have the right to appeal to the superior court of Chatham County.
- (c) Any person in violation of this article, upon conviction, shall be guilty of a misdemeanor and shall be subject to such penalties as are provided by law for other misdemeanors. Each and every day a violation continues shall be deemed a separate offense.

(Code 1977, § 9-2041)

Cross reference— Government and administration, pt. 2.

Secs. 9-2042—9-2050. - Reserved.

ARTICLE II. - NOISE

DIVISION 1. - GENERALLY

Sec. 21-16. - Loud and unnecessary noises restricted.

- (a) Findings of fact: City council finds and declares that excessive noise is a serious hazard to the public health, welfare, peace and safety and the quality of life of its residents and visitors; that a substantial body of science and technology exists by which excessive noise may be substantially abated; that people have a right to and should be insured an environment free from excessive sound that may jeopardize their public health, welfare, peace and safety or degrade the quality of life or diminish property values; and therefore, city council finds that it is the policy of the city to prevent such excessive sound.
- (b) It shall be unlawful for any person, entity, or establishment to make, continue, or allow to be made or continued, any clamorous singing, yelling, shouting, whooping, bellowing, hollering, or other loud, obstreperous, wanton and unnecessary noises, or to make, continue, or allow to be made or continued, any loud gatherings, either in the day time or at night, which disturb the peace and quiet of the city, whether in the public street, on privately owned or controlled property, or within enclosures, public or private.
- (c) It shall be unlawful for any person to ride, drive, propel or otherwise operate a motorized vehicle in a manner which emits loud and unnecessary noise or long continued noise, either in the day time or at night, which disturbs the peace and quiet of the city, whether in the public street or on private property, or within enclosures, public or private. The prohibitions of this subsection shall include operating a motorized vehicle by rapid throttle advancing (revving) of an internal combustion engine resulting in increased noise from the engine.
- (d) For purposes of this section, motorized vehicle includes but is not limited to cars, trucks, vans, buses, motorcycles, motor scooters, motorized skateboards, mopeds, and low speed neighborhood electric vehicles.
- (e) Nothing in this section shall be construed to extend to the blowing of a motorized vehicle horn or other signal device by the operator of either a public or private motorized vehicle for the purpose of notifying passengers or other persons of the presence of such motorized vehicle or as a safety precaution in the actual operation of the motorized vehicle.
- (f) It shall be unlawful for any person, entity or establishment to play, operate or cause to be played or operated, any radio, amplified musical instrument including but not limited to brass or drum instruments or the amplified device or apparatus making or reproducing musical or other sounds within a privately owned or controlled courtyard or outdoor area after 11:00 p.m. and before 7:00 a.m. in such a manner as to be audible in any public street or right-of-way.
- (g) It shall be unlawful for any person, entity or establishment to play, operate or cause to be played or operated any musical instrument or other device or apparatus making or reproducing musical or other sounds without amplification within a privately owned or controlled courtyard or outdoor area after midnight and before 7:00 a.m. in such a manner as to be audible in any public street or right-of-way.

This subsection expressly prohibits the playing of brass or drum instruments in privately owned or controlled courtyards or outdoor areas after 11:00 p.m. and before 7:00 a.m.

- (h) Notwithstanding subsection (a) and (f) herein, it shall be unlawful for any person, entity or establishment to play, operate or cause to be played or operated, any radio, amplified musical instrument including but not limited to brass or drum instruments, or other amplified device or apparatus making or reproducing musical or other sounds after 11:00 p.m. and before 7:00 a.m. when the said sounds emanate from an open window or door opening of a structure in such a manner as to be audible in any public street or right-of-way.
- (i) Except as provided in subsection (f) it shall be unlawful for any person, entity or establishment to play, operate or cause to be played or operated, any radio, amplified musical instrument including but not limited to brass or drum instruments, or other amplified device or apparatus making or reproducing musical or other sounds when the said sounds are transmitted through a speaker which is mounted on an exterior wall or surface of the structure in such a manner as to be audible in any public street or right-of-way.

- (j) This section shall not be construed to apply to sound trucks as defined in section 21-26 of the Code of the City of Charleston.
- (k) Nothing herein shall be construed to prevent the mayor or his designee from issuing temporary permits for outdoor events sponsored by public, non-profit, educational or religious entities on such terms and conditions as are in the public interest.

(Code 1975, §§ 36-1, 36-3; Ord. No. 1993-51, § 1, 3-23-93; Ord. No. 1993-52, § 1, 3-23-93; Ord. No. 1994-120, § 1, 4-26-94; Ord. No. 2003-36, § 1, 4-8-03; Ord. No. 2004-60, § 1, 6-15-04; Ord. No. 2011-44, § 1, 6-21-11)

Note— See the editor's note to § 21-17.

Sec. 21-17. - Reserved.

Editor's note— Ord. No. 2011-44, §§ 2, adopted June 21, 2011, renumbered the former § 21-17(a)—(g) as § 21-16(a) and (f)—(k). The historical notation has been retained with the amended provisions for reference purposes.

Secs. 21-18—21-25. - Reserved.

DIVISION 2. - SOUND TRUCKS

Sec. 21-26. - Definitions.

For the purposes of this article, the following words and terms shall have the meanings respectively ascribed to them by this section:

Sound-amplifying equipment. The term "sound-amplifying equipment" shall be taken to mean any machine or device for the amplification of the human voice, music or any other sound; provided, however, that, such term shall not be construed to include standard automobile radios when used and heard only by occupants of the vehicle in which installed or warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used only for traffic safety purposes.

Sound truck. The term "sound truck" shall be taken to mean any motor vehicle, or horse-drawn vehicle, having mounted thereon, or attached thereto, any sound-amplifying equipment.

(Code 1975, § 36-5)

Cross reference— Rules of construction and definitions generally, § 1-2.

Sec. 21-27. - Registration statement—Filing required.

No person shall use, or cause to be used, a sound truck with its sound-amplifying equipment in operation in the city before filing a registration statement in writing and in duplicate with the chief of police. (Code 1975, § 36-6)

Cross reference— Licenses, permits and miscellaneous business regulations, Ch. 17.

Sec. 21-28. - Same—Contents.

The registration statement, the filing of which is required in section 21-27, shall state the following:

- (a) Name and home address of the applicant.
- (b) Address of place of business of applicant.
- (c) License number and motor number of the sound truck to be used by applicant.
- (d) Name and address of person who owns the sound truck.
- (e) Name and address of the person having direct charge of the sound truck.
- (f) Names and addresses of all persons who will use or operate the sound truck.
- (g) The purpose for which the sound truck will be used.
- (h) A general statement as to the section or sections of the city in which the sound truck will be used.
- (i) The proposed hours of operation of the sound truck.
- (j) The number of days of proposed operation of the sound truck.
- (k) A general description of the sound amplifying equipment which is to be used.
- (l) The maximum sound-producing power of the sound-amplifying equipment to be used in or on the sound truck. In regard to such maximum sound-producing power, this item shall contain a statement as to the following:
 - (1) The wattage to be used.

(2) The volume in decibels of the sound which will be produced.

(3) The approximate maximum distance for which sound will be thrown from the sound truck.

(Code 1975, § 36-7)

Sec. 21-29. - Same—Amendment.

All persons using sound trucks or causing them to be used, shall amend any registration statement filed pursuant to section 21-27 of this division within forty-eight (48) hours after any change in the information therein furnished.

(Code 1975, § 36-8)

Sec. 21-30. - Same—Return to applicant of certified copy.

The chief of police shall return to each applicant, under sections 21-27 and 21-28, one copy of his registration statement duly certified by the chief of police as a correct copy of the application in question.

(Code 1975, § 36-9)

Sec. 21-31. - Same—Possession and display of certified statement.

A copy of the registration statement required by this article, certified as provided in section 21-29, shall be in the possession of any person operating the sound truck at all times while the sound truck's sound-amplifying equipment is in operation and such copy shall be promptly displayed and shown to any policeman of the city upon request.

(Code 1975, § 36-10)

Sec. 21-32. - Applicability of division.

Use of sound trucks in the city with sound amplifying equipment in operation shall be subject to the regulations set out in this division.

(Code 1975, § 36-11)

Sec. 21-33. - Types of sound permitted.

Pursuant to section 21-32, the only sounds permitted are music or human speech.

(Code 1975, § 36-12)

Sec. 21-34. - Hours of operation.

Pursuant to section 21-32, operations are permitted for four (4) hours each day, except on Sundays and legal holidays, when no operations shall be authorized. The permitted four (4) hours of operation shall be between the hours of 11:30 a.m. and 1:30 p.m. and between the hours of 4:30 p.m. and 6:30 p.m.

(Code 1975, § 36-13)

Sec. 21-35. - Sound truck to maintain ten miles per hour.

Sound-amplifying equipment shall not be operated unless the sound truck upon which such equipment is mounted is operated at a speed of at least ten (10) miles per hour, except when such truck is stopped or impeded by traffic. Where stopped by traffic such sound-amplifying equipment shall not be operated for longer than one minute at each stop.

(Code 1975, § 36-14)

Sec. 21-36. - Operation near hospital, etc., prohibited.

Pursuant to section 21-32, sound shall not be issued within one hundred (100) yards of hospitals, schools, churches, courthouses or polling places.

(Code 1975, § 36-15)

Sec. 21-37. - Profane or slanderous speech prohibited.

Pursuant to section 21-32, the human speech and music amplified shall not be profane, lewd, indecent, or slanderous.

(Code 1975, § 36-17)

Sec. 21-38. - Restrictions on volume of sound.

The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred (100) feet from the sound truck and so that such volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the area of audibility.

(Code 1975, § 36-18)

Sec. 21-39. - Limitation on wattage.

No sound-amplifying equipment shall be operated with an excess of fifteen (15) watts of power in the last stage of amplification.

(Code 1975, § 36-19)

Secs. 21-40—21-50. - Reserved.

**Trolley Noise
Meeting Summary
May 14, 2013**

Meeting to discuss Sec. 6-1545. Loudspeakers and recorded messages, activity outside of tours of the Tour Service for Hire Ordinance. Highlighted below are the key areas we are examining.

(a) It shall be unlawful to operate loudspeakers outside tour service vehicles within the City; loudspeakers may be operated within the confines of tour service vehicles for the sole benefit of the passengers within the confines

(b) No tapes or recorded messages purporting to give information about the City's history or landmarks shall be used in tour service vehicles unless all of the information contained therein is true and factual. The Tour Services Coordinator or his designated representative shall examine the tapes or recorded messages to determine if the information contained therein is true and factual.

(c) No sound shall be audible outside of the tour service vehicle.

(d) All activity associated with a tour, including but not limited to interaction with people, actors, other tours and props must be contained within the vehicle or method of conveyance (motor coach, bus, trolley, automobile, van, segways, bicycle, carriage, walking tour, etc.).

The following observations were made by Zoning Inspector Tiras Petrea using a Casella CEL-240 Digital Sound Level Meter. He received training sponsored by from Dawson Associates, Inc at the Occupational Noise Exposure Measurement Seminar and on the Casella CEL-240 Digital Sound Level Meter from Casella CEL Inc. The Casella CEL-240 Digital Sound Level Meter complies with ANSI S1.4, IEC 61672, 60651.

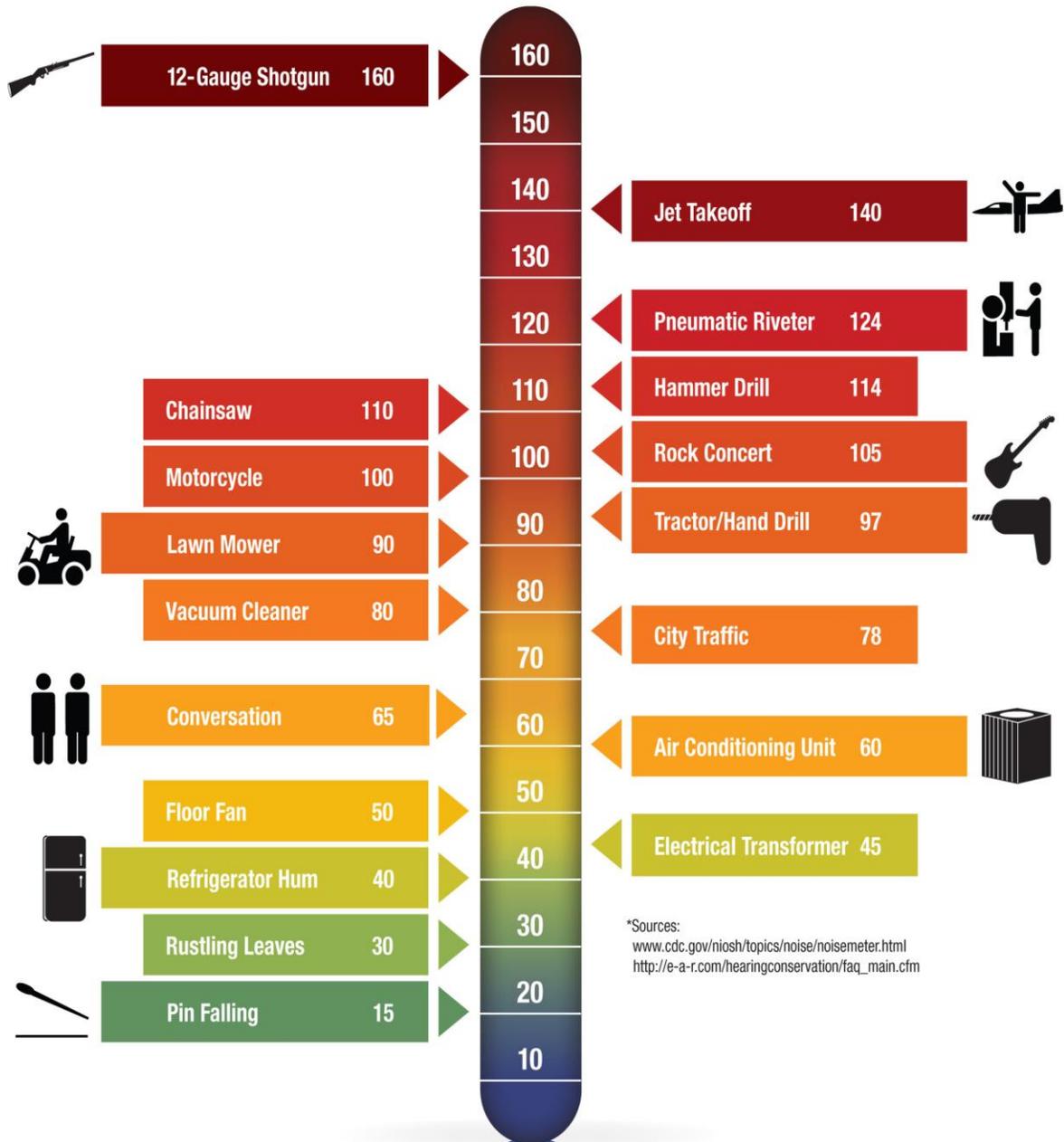
Two vehicles were used. The first was vehicle number 921 from Old Savannah Tours. Vehicle has been retrofitted with seat speakers and has a diesel engine. Second vehicle was a gasoline engine trolley from Old Town Trolley Tours.

Location	Decibel	Notes
Old Savannah Tours		
Inside; front of vehicle; stationary	78	Volume level set at 5 ½
Inside; rear of vehicle; stationary	75	Volume level set at 5 ½
Outside; 15 feet from vehicle	75.3	Volume level set at 5 ½
Going around parking lot	81	Volume level set at 5 ½
Old Town Trolley		
Inside; rear of vehicle; stationary	79.5	
Outside; 15 feet from vehicle	68.9	
Inside; Bay Street	< 85.3	
Inside; Washington Square	80.7	
Outside; Washing Square; 15 feet from vehicle	61.8	Volume lowered; no # available

Need to consider:

- Standards for different types of vehicles—gas, propane and diesel
- Ambient noise
- Mixed use zones
- Enforcement

Decibel Scale (dBA)*



*Sources:

www.cdc.gov/niosh/topics/noise/noisemeter.html
http://e-a-r.com/hearingconservation/faq_main.cfm