Attachment B

A Review of the City of Billings Noise Ordinance

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Current City of Billings Noise Ordinance

- Noise limit ordinance with day/night limits established
- Four noise zones:
  - Residential
  - Light & heavy commercial
  - Industrial

Zone	Day	Night
Residential	65 dBA	55 dBA
Light Commercial	80 dBA	60 dBA
Heavy Commercial	85 dBA	70 dBA
Industrial	90 dBA	80 dBA

- Waivers are permitted to allow for pre-planned, occasional exceedances – now limited to 4 per year
- A few specific measurement requirements are specified
- A number of exemptions are provided

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Comparison cities

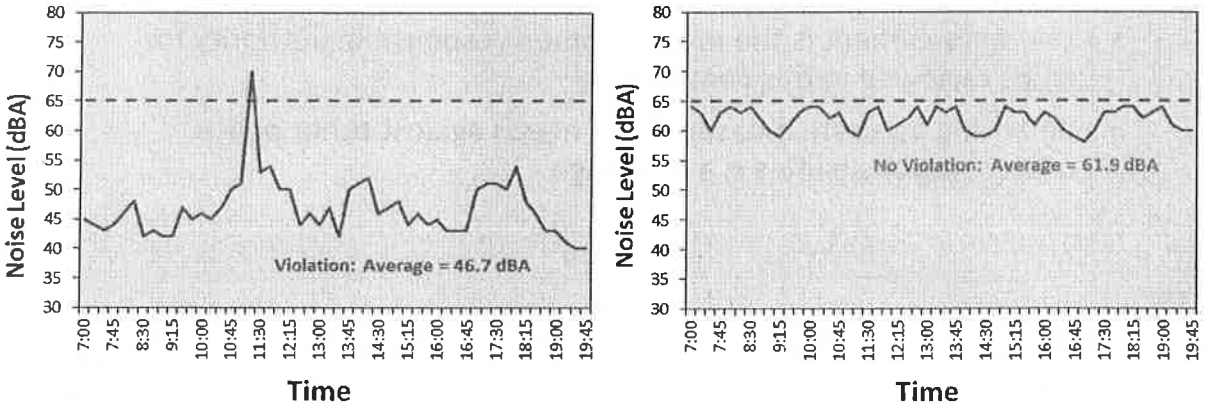
- 10 cities reviewed
- Goal: to select similar MT and regional cities based on population
- Five next-largest Montana cities selected
  - Bozeman, Butte, Great Falls, Helena, and Missoula
- Five regional cities selected
  - Spokane, WA
  - Nampa, ID
  - Ogden, UT
  - Fort Collins, CO
  - Sioux Falls, SD

Comparison: City of Billings noise limits

Zone	Day	Night
Residential	65 dBA	55 dBA
Light Commercial	80 dBA	60 dBA
Heavy Commercial	85 dBA	70 dBA
Industrial	90 dBA	80 dBA

RED = Higher than all comparison cities; Orange = Higher or as high as all;
Yellow = Higher than some, but lower than some; Green = Equal to or less than all or most

Comparison: City of Billings noise limits



Comparison: Methods of measurement

- dBA as a unit of measure is common (and correct)
- Ambiguity of metrics is common
- A variety of measurement location specifications
- Adjusting for background noise is common, but how to accomplish?
- A few are very prescriptive with measurement procedures

Comparison: Methods of enforcement

- Law enforcement is the most common responsible authority for cities reviewed in this comparison
- Balancing accurate measurement needs against other police officer responsibilities is a challenge

Comparison: Permits or waivers for non-exempt activities

- General exemptions for certain activities are common, but the activities vary
  - For example: road work, traffic, sporting events, etc.
- Non-exempt activities fall under the ordinance
- Some form of temporary, short-term relief from the ordinance rules is common
  - 4 of 10 had waivers/permits similar to the City of Billings ordinance
  - 4 of 10 had only "hardship" waivers
- None had an obvious limit on the number of permits per year

Recommendations from the review

Consider:

1. Continuing with reduction from 4 noise zones to 3
2. Measuring 25 or more feet from source on public boundary or complainant's property line on public boundary
3. Specifying LAS_{max} as the metric used in the noise limits
4. Specifying average, sustained noise levels (LAS_{eq}) need to be kept 10 dB below the established maximum limits
5. Requiring training for law enforcement officers measuring noise
6. Removing measurement specifics to be handled in the training

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Recommendations from the review

Proposed Ordinance Limits (Maximums)		
Zone	Day	Night
Residential	65 dBA	55 dBA
Commercial	80 dBA	60 dBA
Industrial	90 dBA	80 dBA

Proposed Ordinance Limits (Averages)		
Zone	Day	Night
Residential	55 dBA	45 dBA
Commercial	70 dBA	50 dBA
Industrial	80 dBA	70 dBA

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Yellow = Higher than some, but lower than some; Green = Equal to or less than all or most

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Specific City of Billings noise issues

- Daytime start time
- 45 dBA residential limit
- Noise from generators
- Noise from air handling equipment
- Intermittent and highly variable noise
- Environmental noise in summer months
- Permitted noise event end times
- Outdoor live music
- Stadium noise

Public comments (11 total)

- Vehicle noise (6 of 11)
- Stadium noise (2 of 11)
- Pickleball (1 of 11)
- Barking dogs (1 of 11)
- Enforcement of existing ordinance & related rules (3 of 11)
- Music and problems with the waivers (1 of 11)
- Other comments

References

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