



City of Dallas

Code Compliance Services Enhanced Noise Enforcement Strategies

**Public Safety Committee
April 12, 2021**

Carl Simpson, Director
Code Compliance Services
City of Dallas

Presentation Overview



- Current Enforcement
- Common Uses of Chapter 30 & 51A
- Additional Enforcement Provisions
- Current Enforcement Activities
- Enhancement Considerations
- Enforcement Advantages
- Enhancement Recommendations
- Future Enhancement Plans



Current Enforcement



- Code officers respond to 311 Noise complaints
- Response may occur after the violation has been reported
- Relies heavily on witness accounts of activity
- No dedicated staffing detailed to these after-hour activities

CURRENT NOISE ENFORCEMENT UNDER DCC §§ 30-4, AND 51A-6.102

DCC § 30-4

A person commits an offense if he [knowingly] operates or causes to be operated any mechanical loudspeaker or sound amplifier in a public place or upon any public sidewalk, street, alley, or highway of the city in violation of any of the limitations and requirements found in DCC § 30-4(a) (1); 30-4 (a) (4)

DCC § 51A-6.102

A person may not [knowingly] conduct a use that creates a noise level that exceeds the levels established in Subsections (b) through (e) or that exceeds the background level by five dB(A), whichever is greater.



Common Uses: Chapter 30 & 51A



Chapter 30

- 30-2(5)-Use of a steam whistle on a boiler
- 30-2(8)-Construction activity during prohibited hours
- 30-2(12)-Waste collection during prohibited hours
- 30-4(a)(1)-No mechanical loudspeakers within 150 ft. of a residence allowed after sunset
- 30-4(a)(4)-No mechanical loudspeakers within 150 ft. of a hospital, school in session, nursing home and surgical facilities

Chapter 51A

- 51A-6.102 (b)-(e)- Offenses related to land use allowances based on decibel readings
- 51A-6.102 (a)(5)(E)-Noise from use related loading/unloading impacting residential uses after 10pm
- 51A-6.102 (a)(5)(F)-Allows for lawn maintenance, repair of personal use vehicles and home repair of places of residence only within specific hours



Additional Enforcement Provisions



- Code officers respond to 311 Noise complaints in possible real-time
- Chapter 30-1 & 4 allows for broader enforcement capabilities
- Addition of body cameras to improve evidentiary documentation

ENHANCEMENT TO CURRENT NOISE ENFORCEMENT UNDER DCC §§ 30

DCC § 30-1

A person commits an offense if he [knowingly] makes or causes to be made any loud and disturbing noise or vibration in the city that is offensive to the ordinary sensibilities of the inhabitants of the city.

DCC § 30-4

A person commits an offense if he [knowingly] operates or causes to be operated any mechanical loudspeaker or sound amplifier in a public place or upon any public sidewalk, street, alley, or highway of the city in violation of any of the limitations and requirements found in

30-4(a)(2) interferes with enjoyment of life property, peace and comfort

30-4 (a)(3) not to cause traffic congestion or congregation of crowds



Current Enforcement Activities



- Proactive after-hours overtime weekend enforcement, that began on St. Patrick's Day, resulted in the following:
 - 204 Site inspections conducted
 - 176 Locations provided education and monitored
 - 28 Notices of violation were issued and followed up with compliance at the time of inspection
 - 3 Citations issued for non-compliance

➤ The data listed above is comprise of a three (3) week process



Enhancement Considerations



- Consider the use of Chapter 27 article 8 of the Dallas city code, to include noise and occupancy as an abatable criminal activity
- Allow for the revocation of a certificate of occupancy in relation to “habitual” noise and occupancy violations
- Consider alternate shifts to allow for late night enforcement activities related to noise
- Work collaboratively with Sustainable Development and Construction, Fire and Police in dealing with the most problematic properties



Enforcement Advantages



- Enhanced enforcement with the use of additional provisions within Chapter 30 and enhanced considerations will provide the following:
 - “**ordinary sensibilities**” removes the requirement for a decibel reading and multiple inspections
 - Increases **response and efficiency**
 - **Supports DPD** and enhances the ability to respond to noise complaints within commercial venues
 - Allows for **relations to be established** between owners/persons in control and city Staff
 - **Improve the quality of life** for the residence



Enhancement Recommendations



- Create an Entertainment Venue enforcement team (E-Team) to include the following departments:
 - Code
 - Sustainable Development and Construction
 - Fire
 - Police

Enhanced E-Team Areas of Focus

- Current Commercial CCS Enforcement
- Registration
- Fire Code
- Food & Safety
- Building Codes
- Crime
- Parking
- Crowd congestion
- Noise



Future Enhancement Plans



- Seek Council approval to amend Chapter 27 Article VIII Habitual Criminal Properties of the Dallas City Code to include Habitual Nuisance Properties
- Continued use of the “Ordinary Sensibilities” in enforcement activities





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