

## ANNUAL REPORT

To: Mayor and Council Members Date: January 18th, 2022

From: Chairperson, Jessica Tomasin and Board Members

Subject: Noise Advisory Board 2022 Annual Report to City Council

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**Summary Statement:** In 2021 the Noise Advisory Board formed, drafted a mission statement, elected a Chairperson and Vice Chairperson, established monthly meetings on the second Monday of each month at 1:00 PM. The board is familiar with noise complaint data provided by city staff and is prepared to make data driven recommendations.

Due to the seasonal nature of complaint types and volume, the NAB Chair and Vice Chair recommend that some substantive policy updates be deferred until November 2023.

**Mission Statement:** The mission of the NAB is to evaluate the effectiveness of the revised ordinance regarding noise regulation and related City policies with the goal of developing recommendations regarding amendments, additions, or deletions. The NAB will also evaluate the effectiveness of enforcement of the ordinance in regards to response times, compliance rates, distribution of complaints, and ensuring equitable outcomes. We will propose long-term objectives for achieving reduced levels of sound for our business and residential communities and propose means for implementing such objectives.

**Accomplishments:** The Board met 8 times since the last annual report and has accomplished the following:

- Created a working group and worked with city staff to create a document for Good Neighbor & Sound Mitigation Tips for Managing Noise. See Appendix 1. [Good Neighbor and Sound Mitigation Tips For Managing Noise](#);
- Created a working group to evaluate the impact of decibel levels and surveyed complainants. 2023 plans to revisit decibel limits by measuring sound levels indoors and taking dBC measurements can be found [here](#); The results of surveying no violation complainants can be found [here](#);
- Held a retreat to establish areas of focus that included creating a working group to address vehicle noise ;
- Gained a better understanding of residential complaints as we now know that there are 64 apartment complexes and 11,043 units in the city;

**Policy Recommendation(s):**

**Waste Hauler Recommendation:**

The City of Asheville Noise Advisory Board (NAB) has engaged with CBD residents that continue to complain about noise created by waste pickup as early as 5:00 AM. The NAB has concluded that this is not a matter of noise mitigation, rather the Noise Ordinance start time of 5:00 AM waste pickup must be changed to a time no earlier than 7:00 AM. Therefore the NAB recommends that the City Council require the city manager to establish a task force to evaluate new methods of allocating waste pick up in the CBD. This task force would include CBD business owners, CBD residents and sanitation staff. Its goal: determine a plan that would continue to improve public safety, minimize waste pickup costs to CBD businesses and change morning waste pickup time to as late as possible. This work is necessary to maintain a livable CBD.

Other North Carolina cities have substantially later starts of waste pickup: Raleigh 6 AM, Charlotte 7 AM, Winston-Salem 7 AM. Additional tourist destinations with larger populations than Asheville also have later starts: Charleston, SC 6 AM Savannah, GA 7 AM. It must be possible for Asheville to achieve improved outcomes.

**Recommendation to Address Vehicular Noise:**

NAB recommends to city council that it direct the city manager to empower NAB to work with city staff on a revised ordinance to reduce vehicular noise from intentional engine revving and modified exhaust systems, to be presented for council approval in 2023.

For NAB, this would entail additional research, collaboration with City DDS and legal staff, consultation with the Asheville Police Department for enforcement and compliance strategy, and specific written recommendations for presentation to the City.

**Recommendation for public input to assess effectiveness of noise ordinance:**

We know that the original survey the city created for input about noise garnered one of the highest amounts of civic engagement. Now that we have had the ordinance in effect for over a year, we believe it would be a good idea to do another survey to gather additional data on the impact of the ordinance.

**Potential Budgetary Impact of Goals and/or Recommendation(s):** Each of our recommendations would require the work of city staff and therefore have a budgetary impact. Our hope is that the city council will see this is necessary to continue to work on the noise ordinance that is still very new.

**Upcoming Goals:**

- Create a plan of action to address and reduce the amount of vehicular noise.
- Gather additional community input to assess the effectiveness of the noise ordinance.
- Gather additional research and data on ordinance decibel limits.

**Current Membership:**

- Jessica Tomasin: Chair, performing arts representative
- Rick Freeman: Vice-Chair, resident representative
- David Ledger: construction/industrial representative
- Carmelo Pampallonio: acoustic professional representative
- Reb Haizlip: resident representative
- Lilianna Woody: restaurant industry representative
- Jeff Santiago: resident representative
- Todd Justic: Noise Administrator, non-voting member
- Antanette Mosely: Council Liaison