



Legislation Details (With Text)

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File created: 5/6/2022 **In control:** Rules & Reference Committee

On agenda: 12/11/2023 **Final action:** 12/14/2023

Title: To amend section 2329.11 of the Columbus City Codes pertaining to community noise; to include certain prohibitions of unreasonably loud and raucous noise from non-residential properties, to allow the Department of Building and Zoning Services to enforce provisions, and to include a civil penalty option as an available remedy; and to repeal existing section 2329.11.

Sponsors: Emmanuel V. Remy

Indexes:

Code sections:

Attachments: 1. 2329.11 Amendments - Dec 2023 - AMENDED.pdf, 2. 2329.11 Amendments - Dec 2023.pdf

Date	Ver.	Action By	Action	Result
12/14/2023	2	ACTING CITY CLERK	Attest	
12/13/2023	2	MAYOR	Signed	
12/11/2023	2	COUNCIL PRESIDENT	Signed	
12/11/2023	1	Columbus City Council	Amended as submitted to the Clerk	Pass
12/11/2023	1	Columbus City Council	Approved as Amended	Pass
12/4/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND:

Columbus City Codes Section 2329.11, "Community Noise," was originally enacted in 2001 and has been subsequently amended over time. In its current form, it has two parts: (1) it outlines permissible sound levels for zoning districts, and (2) it prohibits "unreasonably loud and/or raucous noise," including specific limitations for the operation of any sound amplification system, auditory device, or stationary sound sources. A number of provisions in Section 2329.11 pre-date the significant population growth and development in Columbus's urban core. Mixed-use development has increased demand for housing is growing.

Specifically, areas such as the Short North, Franklinton, University District, and Downtown have seen unprecedented growth in both commercial and residential properties. Noise is often cited by residents as one of the biggest issues impacting their quality of life. There is a need to modernize and improve Section 2329.11 to better hold non-residential properties accountable, to bring clarity to internal processes, and to enhance the ability to enforce new and existing provisions. The amendments incorporated in this Ordinance focus on increasing accountability for the production of unreasonably loud and raucous noise and streamlines the permitting and enforcement processes used by City departments to ensure compliance, ultimately improving the quality of life for Columbus residents.

The amendments to this section include:

1. Prohibiting the operation of any sound amplification system, auditory device, or stationary sound source from a non-residential property that is audible at the property line of a residential unit 100 feet from the property line of said non-residential property between the hours of 10:00pm-7:00am

2. Introduce the Department of Building & Zoning Services as a city agency that can enforce the provisions of this section.
3. Addition of a civil penalty option for commercial (or other non-residential) property owners that violate the prohibited sounds section.
4. Eliminating a prohibited sounds variance, while improving permitting process to allow for special events and programming
5. Allowing continued current use of certain land use operations that existed previously to a zoning change of an adjoining property (e.g. manufacturing)
6. Extends liability for violating this section in certain situations from an individual to an organization or business

To amend section 2329.11 of the Columbus City Codes pertaining to community noise; to include certain prohibitions of unreasonably loud and raucous noise from non-residential properties, to allow the Department of Building and Zoning Services to enforce provisions, and to include a civil penalty option as an available remedy; and to repeal existing section 2329.11.

WHEREAS, section 2329.11 of the Columbus City Codes pertains to community noise; and

WHEREAS, a number of provisions of this section pre-date the significant population growth and development in Columbus; and

WHEREAS, it has become necessary to amend section 2329.11 and modernize the Code by, among other amendments, including certain prohibitions of unreasonably loud and raucous noise from non-residential properties, allowing the Department of Building and Zoning Services to enforce

provisions, and including a civil penalty option as an available remedy ; and

WHEREAS, the amendments to section 2329.11 are a result of extensive community feedback collected over years of engagement and collaboration; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That section 2329.11 of the Columbus City Codes is hereby amended as follows:

See attachment

SECTION 2. That the existing section 2329.11 is hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force ~~from and after the earliest period~~
~~allowed by law~~ on March 1, 2024.