



# City of Harrisonburg, Virginia

## Office of the City Manager

409 South Main Street  
Harrisonburg, VA 22802  
(540) 432-7701 / FAX (540) 432-7778

Eric D. Campbell  
City Manager

TO: Eric Campbell, City Manager  
FROM: Melody Barger, City Manager's Office Graduate Student Intern  
DATE: August 5, 2019  
RE:

**Summary:** Amend Section 15-3-2(d)(4) Noise Violations; penalties to exempt non-road-related construction noise only during the daytime.

**Background:** Currently, Section 15-3-2(d)(4) exempts construction noise on real property from the requirements laid out in 15-3-2(d)(1). The general noise ordinance law requires that noise be no louder than 65dB during the daytime (7:00am-10:00pm) and no louder than 55dB during the nighttime (10:00pm-7:00am). However, the construction exemption allows for construction noise on real property to be louder than both the daytime and nighttime maximums at any time. Due to the exemption, constituents can experience the disruption of their sleep by construction noise at any hour of the night.

The proposed changes to Section 15-3-2(d)(4) simply stipulate that construction noise is exempted from the decibel maximum only between the hours of 7:00am and 10:00pm. This amendment will disallow construction noise on real property after 10:00pm and before 7:00am. These changes will provide a layer of protection for residential neighborhoods during the hours when residents typically are asleep.

Examination of City Code for five comparable cities in Virginia demonstrated that many localities prohibit normal construction noise on real property in nighttime and early morning hours as a part of their noise ordinance. The proposed changes are in line with City Code in other localities City Staff reviewed.

**Key Issues:** see background

**Environmental Impact:** n/a

**Fiscal Impact:** n/a

**Prior Actions:** Enactment of Section 15-3-2, Noise Violations; penalties

**Alternatives:**

- (a) enact all suggested amendments;
- (b) enact some of the suggested amendments; or
- (c) reject suggested amendments.



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**Community Engagement:** Staff initiated a review and recommendation for amendment after contact by a constituent.

**Recommendation:** Staff recommends approval of the suggested amendments.

**Attachments:** Current ordinance with proposed amendments

RE:

Page 2

**Review:**

*The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.*

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