

TITLE: City Manager Criteria for Consideration in Granting/Denying Request for Noise Permit

POLICY NO.: ADM 03-18



CITY OF BEND

City Manager Criteria for Consideration in Granting/Denying Request for Noise Permit

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January 22, 2016


Bend Code Chapter 1.450 provides for 'City Manager Authority to Adopt Administrative Regulations, Policies and Guidelines.' All regulations, policies and guidelines adopted by the City Manager shall be consistent with the City of Bend Charter, the Bend Code, and council ordinances.

The following policy conforms to the above stated standards.

- A. The following criteria will be used by the City Manager, in his or her discretion, in deciding whether or not to grant a valid request for a noise permit under Bend Municipal Code Section 5.50.035:
 1. Distance/proximity to noise sensitive residential neighborhoods or areas that are not noise sensitive.
 2. Both pro and con input from Neighborhood Association, if received.
 3. Substantiated complaints (e.g., citation issued by police) from prior event at same location; in such event, no noise permit will be granted for a one-year period from time of citation.
 4. Evidence of law enforcement concerns from event sponsor or at event location.

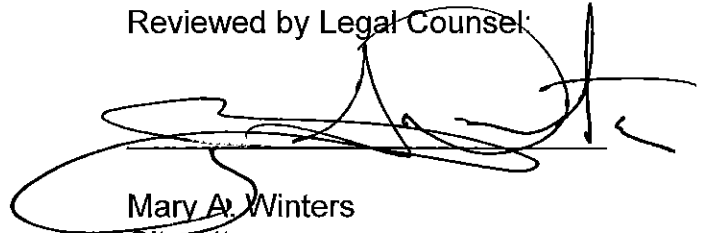
5. Number of increased decibels requested and time period requested (e.g., decibel increase before 10 p.m. may be better than extended hours past 10 p.m.).
 6. Time of year (e.g., summer hours with longer sunlight may be less intrusive and more likely to be granted).
 7. Input from neighbors to whom notice was mailed. Number of responders, and/or repeat responses is not determinative, but is one factor to be considered by City Manager.
 8. Receptiveness and sensitivity of business making request to neighborhood concerns and willingness to make adjustments as needed.
- B. Conditions which may be imposed on the granting of a noise permit include:
- Right to revoke for any violation.
 - Limited hours with decreasing decibels as it gets later in the evening.
 - Limiting any amplified sound or requiring prompt decreased amplified sound upon any request by City to do so.
 - Limitations on outdoor sound.
 - Requirement of responding promptly to police requests for sound reduction based on complaints.
 - Indemnity and holding City harmless for any loss of any kind associated with use of permit.
 - Permittee to provide his/her own security and monitor to oversee the sound levels.
 - Assurance that notice of application has been provided to Neighborhood Association and properties within 500 feet of site.
 - Any other condition deemed reasonable by the City Manager under the specific circumstances presented.

Authorized by City Manager:



Eric King
City Manager

Reviewed by Legal Counsel:



Mary A. Winters
City Attorney