



**Colonial Heights
City Council Special Meeting
April 18, 2023**

Colonial Heights City Council Meeting

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- 1. Call to Order**
- 2. Roll Call**
- 3. Declarations Of Personal Interest**

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4. Reading Of Manner Of Addressing Council.

ANY MEMBER OF THE PUBLIC addressing the Council shall approach the lectern, give his name and address in an audible tone of voice for the record, AND ADDRESS THE COUNCIL AS A BODY RATHER THAN SPEAK TO ANY MEMBER. Unless further time is granted by the Council, ANY MEMBER OF THE PUBLIC shall address the Council one time for a maximum of five (5) minutes, regardless of the number of issues he desires to discuss. PROVIDED however, that the main proponent of any application, petition, or plan that is the subject of a public hearing shall be allowed to address the Council initially for a maximum of ten (10) minutes and later in rebuttal for a maximum of three (3) minutes.

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5. Advertised Public Hearing:

A. AN ORDINANCE NO. 23-8

(Second Reading) Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia (“Personal Property Tax Relief”) on all qualifying vehicles under the Chapter.

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6. A Work Session On The Following Items:

A. Annual Comprehensive Financial Report Presentation

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6. A Work Session On The Following Items:

B. AN ORDINANCE NO 23-7

(Second Reading) Awarding a \$2,000 bonus on May 3, 2023, to all full-time employees employed on April 25, 2023, who are not participating in the Public Safety Step Plan.

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6. A Work Session On The Following Items:

C. A RESOLUTION NO. 23-10

Approving the “First Amendment To The Special Projects Service Agreement For Yard Waste” with Central Virginia Waste Management Authority and authorizing the City Manager to execute the Amendment.

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6. A Work Session On The Following Items:

D. A RESOLUTION NO. 23-12

Approving a Special Project Service Agreement with the Central Virginia Waste Management Authority for Residential Recycling and Drop Off Processing Services and authorizing the City Manager to sign the Agreement.

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6. A Work Session On The Following Items:

E. Discussion Of The Proposed FY24-28 Capital Improvement Plan

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6. A Work Session On The Following Items:

F. Discussion Regarding The City Noise Ordinance

Colonial Heights – Noise (§ 218-4 / § 273-15)

- § 273-15 primarily addresses noise from and/or caused by a motor vehicle
- § 218-4 addresses sound regarding
 - Residential areas between the hours of 10pm and 7am related to:
 - Refuse, waste, and recycling collection vehicles
 - Lawncare, maintenance and landscaping equipment and activities
 - General prohibition sound producing and/or reproducing devices
 - Within the confines of a dwelling unit between the hours of 12:01am to 7am
 - Includes a measurement distance of 50 feet
 - Misdemeanor with min and max range of fines

Chesterfield Co. - Noise

- Predominantly the Same language as Colonial Heights, except
 - Includes provisions addressing noise on agricultural land
 - Has an additional timeframe for noise in residential areas
 - Standard of detection has different terminology
 - “plainly audible” vs. “heard”
 - No increase in fine amount for subsequent offense

Hanover Co. - Noise

- More extensively defined ordinance
- Prohibits noise generally then lists specific times of prohibition, and in some cases distances of measurement, for certain types of noise
- Has a detailed section on domestic animals that disturb the peace during the day
- Identifies civil and criminal penalties
- Includes maximum permissible sound pressure levels
 - Measured by an average decibel level
 - Requires instruments for measurement
 - Different levels based on time of day and zoning of property

Henrico Co. - Noise

- Recently adopted (Dec. 2022)
- Contains similar language for noise
- Lists prohibited noises but includes several conditions for evaluation that differ between others
- Lists several exceptions for each prohibited noise listed
- Differentiates times of enforcement for different types of activities
 - Includes many daytime enforcement hours
- Has a detailed section on domestic animals that disturb the peace

Summary

- Most of the ordinances classify noise in 2 distinct ways
 - Noise in “residential areas” (This noise heard outside on one’s property)
 - Refuse/recycling collection and lawncare activities
 - Noise heard from within the dwelling of another property
 - Sound from noise producing or reproducing devices
- The standard for noise detection in other localities uses the terminology of “plainly audible”
 - Defined as “**any sound for which the information content of that sound is unambiguously communicated to the listener**, including but not limited to, understandable spoken speech, comprehensible musical rhythms or vocal sounds”.
 - Colonial Heights uses the terminology “heard”

Summary

- All also include a specified distance of 50 ft. for the noise detection standard
 - Henrico also uses 100 ft. for social gatherings
- Exceptions listed by other localities appears to be in place to not unfairly penalize commercial businesses
 - However, the other localities ordinances do not appear to address the issue of having commercial and residential uses abutting one another
- Henrico and Hanover specifically reference daytime hours for prohibition of certain noises

Noise Ordinance details of select jurisdictions

Locality	Noise in Residential Areas Hours of Violation	Noise from Inside Dwelling Hours of Violation	Distance trigger	Sound measurement standard	Violation Type	1st Offense Fine (min - max)	Subsequent Offenses (min - max)
Colonial Heights	10pm to 7am	12:01am to 7am	50 feet from noise	heard	Criminal - Misdemeanor	\$100 - \$500	\$500 - \$1000
Chesterfield	10pm to 5am and 10pm to 7am	12:01am to 7am	50 feet from noise	plainly audible	Criminal - Misdemeanor	\$100 - \$500	\$100 - \$500
Hanover	9pm to 7am and 9pm to 6am	10pm to 7am; 10pm to 8am; and 7am to 10pm	50 feet from noise	plainly audible and decibel rating	Civil Penalty	\$250	\$500
					Criminal - Misdemeanor	\$500	\$500
Henrico	11pm to 6am; 11pm to 7am; 12am to 6am; and 7am to 9pm	7am to 11pm*	50 ft and 100 ft** from noise	plainly audible	Civil Penalty#	500 max.	2nd off. \$1000 max. 3rd off. \$2500 max.

several times and exemptions listed; however intended to cover daytime hours

** 100 ft is measurement from social gatherings

code mentions authority to pursue criminal prosecution

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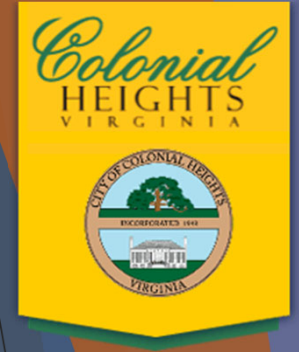


6. A Work Session On The Following Items:

G. Regional Opioid Abatement Grant Update

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7. Adjournment