



November 6, 2021

Yon Lambert, Director  
Department of Transportation and Environmental Services  
Alexandria, VA 22314  
*yon.lambert@alexandriava.gov*

**Re: Phase II Revision of Noise Ordinance**

Dear Mr. Lambert:

North Ridge Citizens' Association appreciates the opportunity to comment on the Transportation and Environmental Services (T&ES) Department's proposed options for revising the noise ordinance. For ease of discussion, we have summarized the options as follows:

1. Replace the "predominant use" criterion with "property use of noise source."
2. Regulate DIY construction to the same hours as other construction.
3. Give responsibility for enforcing neighbor-to-neighbor noise inside buildings to the City, rather than leaving it to building management/condo boards.
4. Establish "plainly audible" as the standard for neighbor-to-neighbor noise from 11 pm to 7 am.
5. Increase the commercial property limit from 60 to 65 dB (day).
6. Allow less restrictive noise standards via a SUP.
7. Prohibit loading, unloading, and delivery between 11 pm and 7 am if within 500 ft of a residential area.
8. Expand "noise in public places" rules from the central business district to the entire City.
9. Remove the 75 dB limit on lawn and garden power equipment, or only control by hours/days of the week.
10. Increase civil penalties for violations.

First and foremost, the quality of life in Alexandria is not enhanced by noise. The City should take steps to reduce noise as much as reasonably possible. And, at a minimum, any proposal to weaken noise protections should be strictly scrutinized and considered only where absolutely necessary to enhance our citizens' quality of life. For these reasons, we oppose Options 1, 5, 6, and 9 and support Options 2, 4, 7, 8, and 10. We take no position on Option 3.

OPPOSE:

**Option 1**—We strenuously oppose Option 1 because it would remove consideration of the predominant use of the immediate surrounding neighborhood in setting noise limits. While we recognize that there may be a rare instance where the predominant use might be difficult to determine, in the vast majority of cases (such as single-family-zoned residential areas) there is no ambiguity and no reason to weaken the requirement.

When a commercial, institutional, or industrial facility is entirely surrounded by residential properties, the residential noise limits should absolutely prevail, as they currently do. An even stronger case can be made when a commercial or institutional property is inserted into a residential neighborhood through the SUP process.

Further, “predominant use” is a common-sense term employed in other contexts in the City zoning ordinance, as well as in other contexts such as tax law. All these reasons counsel against deleting it as a criterion.

**Options 5 and 6**—We strongly oppose Option 5, which would increase the noise limit for commercial properties, and Option 6, which would make it possible to increase noise limits beyond the levels provided in the ordinance through the SUP process. The attractiveness of Alexandria as a place to live is not improved by more noise. Also, allowing increased noise would exacerbate and increase the frequency of disputes between neighbors, which are already on the rise due to increased density and reduced setbacks allowed by the City.

**Option 9**—Option 9 would delete the 75 dB limit on lawn and garden power equipment—apparently because the noise made by this kind of equipment routinely exceeds 75 dB—and instead only limit its use to certain hours of the day. We oppose this weakening of the current requirements. Moreover, the City should begin a process that ultimately could lead to banning the commercial use of such equipment. Not only are the two-stroke gasoline engines that power them extremely loud, they pollute the air—hardly consistent with the idea of a “green” city.

SUPPORT:

**Options 2, 4, 7, 8, and 10**—NRCA supports these options, which would further restrict noise in the City. We agree that noise-producing do-it-yourself (DIY) projects should be limited to the same hours as projects done by contractors (Option 2), and that “plainly audible” is an appropriate standard for neighbor-to-neighbor noise in residential neighborhoods between 11 pm and 7 pm. The 11 pm “cutoff” time actually is quite late for residents such as those with young children who have early bedtimes and those who would like to enjoy a quiet evening outdoors.

In the middle of the night, the noise of truck engines and slamming doors, and their backup beep, beep, beep, is enough to make anyone sit straight-up in bed. Thus, we strongly support Option 7, which would prohibit loading, unloading, and deliveries between the hours of 11 pm and 7 am. Further, we encourage the City to consider starting the no-delivery period earlier, *e.g.* 7 pm. This would still allow a 12-hour window for loading, unloading, and deliveries, while affording residents an opportunity to enjoy quiet evenings before bedtime.

We support Option 8 that would apply existing limits on noise from City-owned facilities in the central business district to the rest of the City.

We concur with Option 10 which would increase the civil monetary penalties for violations of the sound ordinance. We also ask that the City explicitly address the issue of enforcement as it considers these changes. Will the City commit the necessary staff and other enforcement resources? If residents cannot count on the City to enforce its rules, there is no purpose in enacting them.

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In addition, we ask that the City consider converting (or requiring the conversion of) trash and recycling collection trucks to electric-only. Like leaf blowers, the noise from these trucks is horrendous. These trucks also are big polluters.

NRCA looks forward to engaging with you and your staff and with the City Council as these discussions move toward final action.

Sincerely,



John Fehrenbach  
President

cc: City Council  
Mayor