

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE July 18, 2023	AGENDA ITEM NUMBER 4.b
--------------------------------------	----------------------------------

TO: Mayor Benetti, Council President DiNovo and City Councilors

FROM: Nichole Rutherford, Assistant City Manager

THROUGH: Rodger Craddock, City Manager

ISSUE: Public Hearing to Consider Enactment of Ordinance Regulating Noise Within Coos Bay

SUMMARY:

Staff is presenting an ordinance which amends the Coos Bay Municipal Code (CBMC), specifically amending noise regulations within the city due to a recent incident that identified an amendment to more timely address permitting for events. Staff is recommending revision to CBMC to remove the requirement that a permit be issued by city council prior to someone can utilize sound amplification in a public space, rather than permit issuance by staff as most permits are currently done.

ACTION REQUESTED:

If it pleases Council, hold a public hearing, accepting public comments on the proposed ordinance modifying regulations regarding noise within the city. Following the closure of the public hearing, enact the ordinance modifying regulations regarding noise within Coos Bay.

BACKGROUND:

Coos Bay Municipal Code is a living source of regulations within the City of Coos Bay, in that as the community changes so must the regulations to better align with the needs of the community, as well as provide a tool for assessing compliance with regulations and the penalties for failure to comply. One particular ordinance, CBMC 9.20.010 which deals with unreasonable noise, was developed in 1987 and has not been amended since. A portion of the this section of the code deals with sound amplification and requires a permit from the council before someone can utilize sound amplification in a public place. Though this is a rarely occurring request, the timing associated with coming before council might prevent an event from being permitted.

Recently an incident involving an individual vocally sharing his religious teachings in the downtown corridor was brought to city staff's attention. This individual was using sound amplification and doing so near the Farmers Market, resulting in complaints filed with city staff. Upon reviewing the code it was realized that requiring the person to get a permit from the council would often be delayed, likely unintentionally preventing an event from occurring as intended or planned. In addition, it is believed that simplifying the process also ensures compliance and consistency.

The proposed amendment to CBMC will revise the permitting process to be handled by city staff but also provide for an appeal process through city council.

BUDGET IMPLICATIONS:

None.

ATTACHMENT(S):

- Ordinance_Repeal_Ord 100_Amend_Noise.pdf