

16 *LCeq* is the C-weighted equivalent continuous sound level (dBC Leq)

17 * * *

18 **Sec. 66-137. Administration.**

19 * * *

20 (a)(1) Perform noise monitoring on any public place, receiving property or emanating property,
21 as provided in this Article.

22 * * *

23 (3) Execute other necessary action, including but not limited to, variance and permit review, and
24 institute necessary proceedings to adjudicate violations of the noise control ordinance.

25 * * *

26 (c) Whenever the department of health determines that violations of this Article exist or have
27 grounds to believe that violations have occurred, notice, hearing and all procedures thereto shall
28 be as provided in Chapter 6, Article II of the Code of the City of New Orleans.

29 **Sec. 66-138. Exemptions from Table 1 and Table 2.**

30 * * *

31 (14) Jazz funerals or similar cultural traditions, practices or rituals (e.g., Social Aid and Pleasure
32 Clubs, Mardi Gras Indians).

33 * * *

34 **Sec. 66-139. Miscellaneous exemptions.**

35 * * *

36 (4) Jazz funerals or similar cultural traditions, practices or rituals (e.g., Social Aid and Pleasure
37 Clubs, Mardi Gras Indians).

38 **Sec. 66-140. Penalties.**

39 Any person determined to be in violation of the provisions of this article shall be subject only to
40 a monetary penalty as provided in Section 6-37 of the Code. Each day such violation is
41 committed or permitted to continue shall constitute a separate offense and shall be punishable as
42 such.

43 **Sec. 66-141. Violations; additional remedies**

44 As an additional remedy, the City may require immediate abatement by requesting compliance
45 with the appropriate sound levels provided herein, when the operation or maintenance of any
46 business, device, instrument, vehicle, or machinery is in violation of any provision of this article,
47 or which operation or maintenance exceeds the limitations of this article.

48 * * *

49 **Sec. 66-201. Noise measurement.**

50 Sound level measurements shall be made with a properly calibrated sound level meter Type 2 or
51 better using the A-weighted network in accordance and conforming with the noise measurement
52 standards, based on the reference sound pressure, promulgated by the American National
53 Standards Institute and Testing Procedures (ANSI), except as otherwise provided herein.
54 Instrument response shall be "fast" for motor vehicle measurements and "slow" for all other
55 measurements, except as otherwise provided herein.

56 **Sec. 66-202. Maximum permissible sound levels**

57 * * *

58 (b) L_{10} is the A-weighted sound pressure level which is exceeded ten percent of the time in
59 any measurement period. The measurement period shall not be less than ten minutes
60 when measured at or beyond the property boundary of the receiving land use category
61 (e.g., L_{10} is the sound level that is exceeded a total of one minute in a ten-minute period).

62 * * *

63 (f) In the SHD/VCE, the following provisions shall apply:

- 64 1) No person shall operate or cause to be operated any source of sound in
65 such a manner as to create a sound level which exceeds the limits set forth
66 for the emanating land use category in Table 2.
- 67 2) Measurement(s) for VCE sources shall be taken at an opening even with
68 the plane of the street side façade of the building. The measurement(s)
69 will utilize the metrics LAeq and LCeq, except that in cases where crowd
70 noise is significant, as determined by the Department of Health, LCeq
71 shall be exclusively employed. If all openings are closed on the street side
72 façade of the building, measurement(s) shall be taken five feet from the
73 closed street side façade of the building, exclusively employing LCeq.

- 74 3) All amplified sources of sound on VCE public rights-of-way shall have a
 75 sound level limit of 91 dB LAeq and 96dB LCEq, measured three feet
 76 from the amplified source.
 77 4) The measurement duration shall be twenty (20) seconds. Repeated
 78 measurements are permitted as determined by the Department of Health.

79 * * *

80 **TABLE 1**

81 **SOUND LEVELS BY RECEIVING LAND USE**

82 * * *

83	SHD/VCE-1	At all times	10 decibels above the ambient noise level or 84 60 decibels, whichever is higher.
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85 * * *

86 **TABLE 2**

87 **SOUND LEVELS BY EMANATING LAND USE**

88	Emanating Land Use 89 Category –	Time	Sound Level Limit 90 LAeq	Sound Level Limit 91 LCEq
92	SHD/VCE – Open façade facing 93 Bourbon Street	7:00 a.m. – 10 p.m.	87 dB	97 dB
94	SHD/VCE – Open façade facing 95 Bourbon Street	10 p.m. – 7 a.m.	92 dB	102 dB
96	SHD/VCE –Open 97 façade facing side	24 hours	87 dB	97 dB

99	street			
100	SHD/VCE - Closed	24 hours	N/A	97 dB
101	façade facing			
102	Bourbon Street			
103	(measured at 5 ft.)			
104	SHD/VCE - Closed	24 hours	N/A	92 dB
105	façade facing side			
106	street (measured at 5			
107	ft.)			

108 **All corner doors are considered to be facing Bourbon Street*

109 * * *

110 **66-204. – Reserved.**

111 **66-205. – Reserved.**

112 **Sec. 66-206. Motor vehicles.**

113 **(a) Vehicles in motion.** No person shall operate a motor vehicle at any time or under any
 114 condition of grade, load, acceleration or deceleration in such a manner as to exceed the sound
 115 level limits for the category of motor vehicle shown in Table 3.

116
117
118

* * *

TABLE 3

* * *"

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT: