

Warm, sunny skies are forecast for today with a high in the 70s. Tonight will be clear and cool, with a chance of showers tomorrow.

The Daily Tar Heel

Serving the students and the University community since 1893

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Greg Robinson's three-run ninth inning homer gave Carolina a 6-5 win over Virginia Tech Tuesday night in Boshamer Stadium. The Tar Heels host Wake Forest at 3 p.m. today.

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A special-use permit for an addition to the Health Sciences deck was denied Monday.

Noise rule effective April 24

By MARY ANNE RHYNE
City Editor

After several years of study and debate, the Chapel Hill Board of Aldermen adopted a noise-control ordinance Monday night.

The ordinance, to take effect April 24, establishes maximum decibel levels for sound but would allow louder functions by permit.

In the past, the noise ordinance was subjective, allowing police to warn noise-makers after one complaint from neighbors and to close the event after two complaints.

Fraternities and others holding outdoor concerts or parties complained of subjective actions by police to close parties.

"We're very pleased with the aldermen," Bain Jones, former Residence Hall Association president and a member of the noise-control committee, said. "I think we have developed a situation that will be fair for the town and the University."

Sound levels will be:

- Monday through Thursday from 11 p.m. - 7 a.m. 55 decibels; from 7 a.m. - 11 p.m. 65 decibels.
- Friday 7 a.m. - 1 a.m. Saturday 65 decibels.
- Saturday 1 a.m. - 7 a.m. 55 decibels; 7 a.m. - 1 a.m. Sunday 65 decibels.
- Sunday 9 a.m. - 11 p.m. 65 decibels, 11 p.m. - 7 a.m. Monday 55 decibels.

The sound levels will be measured 75 feet from the source of the noise or from the building where the noise originates. If the

sound level exceeds the permissible level, volume must be cut to a legal level.

Earlier, interested persons measured a fraternity jukebox at 75 decibels, and an outdoor concert by the band Eastern Seaboard at 92 decibels. Marvin Silver, a former alderman and member of the noise-control committee, estimated that a quiet residential neighborhood late at night registers 50 decibels.

The maximum decibel level is similar in several other cities. In College Park, home of the University of Maryland, the maximum is 60 decibels during the day and 50 decibels at night.

Silver explained that when the decibel reading increases by 10 decibels, the sound intensity multiplies by a factor of 10.

Permits to exceed maximum levels will be issued by the chief of police. Permits are issued on the basis of hardship to the applicant, the community and others and on the adverse impact on the health, safety and welfare of affected persons.

The noise-control committee told the aldermen the sound levels and times of applicability are similar to those in 40-50 other towns and close to those recommended by the Environmental Protection Agency.

Silver said the committee foresees permits for events like parades, outdoor parties with live music, Apple Chill Fair and Festi-Fall.

"The committee suggests that the Board of Aldermen pass a resolution recognizing that there will be increased demand for permits the first and last three weeks of the academic

year, on football weekends, and during special events such as Apple Chill Fair and Festi-Fall," the committee's report read. "Such a resolution would show that these events add to the spirit and social life of the community."

The aldermen instructed town attorney Emory Denny to draft such a resolution. The aldermen will hear the resolution at the April 24 meeting. At that time, the noise ordinance will go into effect.

Student Government and the Interfraternity Council are considering buying meters to measure the sound levels. The meters cost about \$500, Silver said. A trial measurement of sound levels will be taken at the Henderson Residence College Springfest Friday and Saturday.

"I don't see a real rigid situation within the next few months," Jones said.

"The whole ordinance was something of a compromise," UNC Professor Frederick Behrends said. "Let's put it into effect and try it."

Members of the noise-control committee were students Bain Jones; R. L. Adams, Interfraternity Council vice president, and Bill Moss, former student body president, and town residents Marvin Silver, a UNC physics professor; J. Ross MacDonald, a UNC physics professor; Robert W. Peters, an associate director of the Speech and Hearing Science Institute; Frederick Behrends, a professor in the history department; and Grady Thomas.

Board to decide residence status in Western suit

By STEVE HUETTEL
Staff Writer

WINSTON-SALEM — The N.C. Board of Elections is to decide this week if as many as 5,000 students at Western Carolina University in Cullowhee should be considered legal residents of Jackson County for voting purposes.

Five representatives of WCU's student government charged in a petition filed with state election officials that registrars of the Jackson County Board of Elections refused to allow students to fill out voter registration forms.

State elections board members heard more than four hours of testimony at a hearing in Winston-Salem earlier this month in which several students said county elections officials unnecessarily intimidated students registering to vote.

The petition asks that qualified WCU students be allowed to register "without any intimidation, threats or harassment," and that the questionnaire required for

student registration be replaced by one similar to the form Wake County registrars use for college students registering to vote.

Kenneth Babb, chairperson of the state elections panel, noted the similarity between the Jackson County petition and a case pending before the N.C. Court of Appeals in which 10 Orange County residents have charged the Orange County Board of Elections with illegally registering as many as 10,000 UNC students.

"We've got Jackson County, where students are saying they aren't being allowed to register, and we have Orange County, where the plaintiffs say all the students are registered," Babb said.

WCU Student Body President Patrick Murphy said an informal survey shows 80 percent of the WCU student body has considered registering to vote in Jackson County but 75 percent did not try because they believed it to be too difficult.

The questionnaire Jackson County officials sue is designed to determine if the student's home is in the county or at the place where his parents live.

"There is no consistent group of questions, positive or negative, that can be said to have a significant impact on whether a student has the right to vote or not," said Phil Cates, head of the pro-student Committee to Promote Voter Awareness.

Cates told the state elections board he received a telephone call in December threatening his safety if he did not cease his pro-student voting activities.

A Jackson County elections registrar said 172 of 215 students who attempted to register between 1975 and June 1977 were approved as legally domiciled residents for voting purposes. All except three of the others who applied for voting privileges have since been registered, she said. See VOTE on page 3.



Nancy Mattox

By KAREN BARBER
Staff Writer

Representatives of the Consumer Health Action Program and Student Government have asked the University to refund part of the student fees being used to finance construction of new Student Health Service facilities.

The group has asked UNC to eliminate \$6 of the \$43.50 health fee paid by students each semester. The \$6 fee has been charged for two semesters, bring the total charge paid by students to date to \$12 each.

The resolution, presented by Nancy Mattox, student government student health advocate, to the Chancellor's Advisory Board of Student Health Services, said students should not pay for services they are not yet receiving.

It also stated that approximately one-half of the students currently paying the fee are financing construction of a building they will not use. Completion of the new infirmary is scheduled for spring 1979.

The SHS advisory board tabled the resolution, but Brad Lamb, director of the Consumer Health Action Program, said the resolution will be resubmitted to the board April 27 and may be presented to the UNC Board of Trustees Friday.

In addition to requesting that students no longer be charged the \$6 fee, advocates of the resolution have asked the UNC Office of Business and Finance to assess the feasibility of refunding fees already paid by students.

John L. Temple, vice chancellor for business and finance, said the UNC Board of Governors authorized a student health fee increase of \$12 a year last fall to help finance

bought with their action. The students might just have to fend for themselves."

The University's request for the special-use permit caused concern among many members of the Board of Aldermen as well as Student Government.

"I feel that the parking deck is not in conformance with Chapel Hill's overall parking plan," Alderman Ed Vickery noted. "It impacts traffic-safety and property values in the surrounding area and doesn't support busing."

The board passed a motion to send the matter back to a task force made up of both the town's planning and transportation boards for further study. The motion stated the task force should review the situation, looking at the town's overall transportation needs, and should report back to the Board of Aldermen no later than August 31.

Temple said the University has not decided what course to take now that the parking-deck special-use permit has been denied.

"We went through such a struggle to get to where we did last night that to have what happened happen...I haven't had much time to think about it," he said.

According to Andrew Vanore, N.C. Attorney General, the University has no recourse except to contest the Board of Aldermen's vote and appeal it.

"The University is just like any other citizen in this case," Vanore said.

Group asks UNC to refund fees for new SHS facility

the new infirmary. Therefore, seniors graduating this May have paid \$12 to finance a building they will not use.

Lamb said the purpose of the resolution is to modify the financing of the building and the loan arrangements which have been made with Wachovia bank.

"The cheapest way to finance it is the way it's being done now, but that's not necessarily the most equitable," Lamb said. But he said rescinding the fees now will mean higher fees for students in the future. "You'd be giving us a break now, and future students may get all upset, but they're the ones that are going to have the benefit of the new building."

Lamb said although delaying payment of the loan will mean higher payments for the University in the future, it is the most equitable course of action with regard to the students.

Under the present arrangement, student fees will pay an estimated 69 percent of the \$5.2 million loan from Wachovia, Lamb said. He said he estimates that the price of the loan will increase by \$5.5 million if collection of the fees is halted and fees already paid are rebated.

The total income which will be forfeited if the resolution is adopted is \$459,000, Lamb said. This, along with the loan price increase, will mean students will pay \$1.50 per student per year more than is currently charged.

"This is a two-sided question, and both sides have valid arguments," Student Body President Jim Phillips said. "Basically it comes down to a decision between the long run and the short run."

Law school suit may fail

By RICHARD BARRON
Staff Writer

A federal reverse discrimination suit filed against officials of the UNC School of Law will be unsuccessful because the special admissions program under fire is neither illegal nor unconstitutional, an attorney for the University said.

Law school Dean Robert G. Byrd has acknowledged existence of an admissions program for disadvantaged students, including blacks, American Indians and the physically handicapped, but said school administrators have never set a quota for admitting minority applicants.

During the past five years, the maximum number of disadvantaged persons accepted in the school each year has ranged from 17-20. There are a total of 51 minority students now enrolled in the school, which has a student body of 670.

Two white students who were denied admission to the UNC School of Law last week filed suit in U.S. Middle District Court in Greensboro. They charged University officials with denying admission to qualified white students in favor of minority students with less impressive academic credentials.

Observers have said the law school case is similar to the Bakke reverse discrimination suit now pending before the U.S. Supreme Court. The Bakke case centers around the constitutionality of setting quotas for admitting minority applicants.

Byrd and Andrew Vanore, the deputy state attorney general representing the

University, say the UNC law school has no such quota.

Other University schools and colleges on the Chapel Hill campus, such as the School of Dentistry and the School of Pharmacy, do not have special admissions policies for minority students as does the School of Law, officials said.

"Admissions is on a strictly competitive basis," said LeRoy Werley, associate dean of the pharmacy school.

Byrd said the law school admissions policy is adopted each year by the faculty and gives the dean and the faculty admissions committee discretion in selecting applicants whose undergraduate grades and Law School Admission Test scores fall below the level set for other students.

But Byrd said students selected under the policy must score above the level which officials believe is necessary for a student to complete the school's three-year program.

"In adopting this policy, the faculty has been sensitive to the fact that for these applicants, the objective factors used in admission may not be valid predictors," the dean said. "We also recognize the need for an increase in the number of legally trained individuals from this group of persons."

Vanore said because the school's admissions policy is not based on race, the federal court suit will not be successful.

"A program for the disadvantaged is not on the basis of race," Vanore said. "There are other than blacks in those reserved positions."

Greek contestants eat way to 'wide world of gluttony'

By GEORGE SHADROUI
Staff Writer

"Suck it up, suck it up!"
"Damn, Barry, don't nibble, shovel!"
The IFC-Panhellenic Pie Eating Contest, held in the Pit yesterday, will not be remembered for its beauty or its grace. It had none.

At a cost of \$5, any fraternity or sorority could enter a team in the "wide world of gluttony," sponsored as part of Greek Week.

Those with the stomachs for it downed pies of every kind, including chocolate cream, banana cream and coconut orange. Each team had four members, and the team that ate four pies in the shortest amount of time was declared the winner.

Teams included the Kappa Sigma pledges, whose strategy was to "eat the hell out of them," and the Betas who tried to "maximize the stomach potential."

The Chi Psi, who won the contest by "sucking up" four pies in six minutes and 42 seconds, put them in their mouths for as long as they could hold them. Trips to the nearby trashcan to spit them out were frequent.

The pie-smearing faces revealed disgust, agony and an occasional smile as the pies

were... eaten?
"This is nasty."
"It's awful."
"It's gooey, soupy, gushy and warm."
Thank God for the trash can.

Though they only finished second, the Sigma Chi team caused a stir when three of its members went back for seconds. Two rounds of hot, gushy, gooey, nasty coconut orange pie!

The art of pie eating revealed itself in several different styles. There was the ball-it-up-in-one-big-pile-and-suck technique, the swoop-it-up-with-the-hand-and-stuff maneuver and the most obvious of all, the eat-with-reckless abandon-and-head-for-the-trash-can ploy.

Said one contestant, "I just hope I can get my head in that damn trash can."

The audience, for the most part, laughed at the pie eaters.

"Hey, how about a practice round!"
"Come on man, shove it, shove it."
"Hey, we ain't got all day."
When it was all over the participants moaned and groaned, wiped their hands and cleaned their faces. One pie eater captured the feelings of most contestants when he said, "I think I'm gonna puke."



This Greek knows how to enjoy a coconut pie.