



Cohen, left, and Marvin Silver  
... checking band noise level

## Noise code cited as unenforceable

By FRANK DELLINGER

In a university town like Chapel Hill where the big industry is education, noise pollution has become one of the few major environmental problems.

To remedy this situation, the Board of Aldermen devised a noise control code for the town which stated: "It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of . . . noise of such character, intensity or duration as to be detrimental to the life or health of any individual in the Town of Chapel Hill."

Early in 1978, the Chapel Hill Board of Aldermen reconstructed the code, retaining

the previous statement as its basis. But in an attempt to make the revised ordinance more compact and precise, the Board created a "Catch-22" predicament. The new code established definite noise limits measured in decibels based on a national standard called the "A-weighting scale." The scale is designed to give an approximate evaluation of subjective response to noise in terms of both loudness and annoyance when the sound is measured by a noise-monitoring device.

According to the ordinance, if an organization believes that during some special activity they will be creating noise which will exceed the limits of the code, they may apply for a permit to exceed general sound levels from the Chapel Hill Police Department.

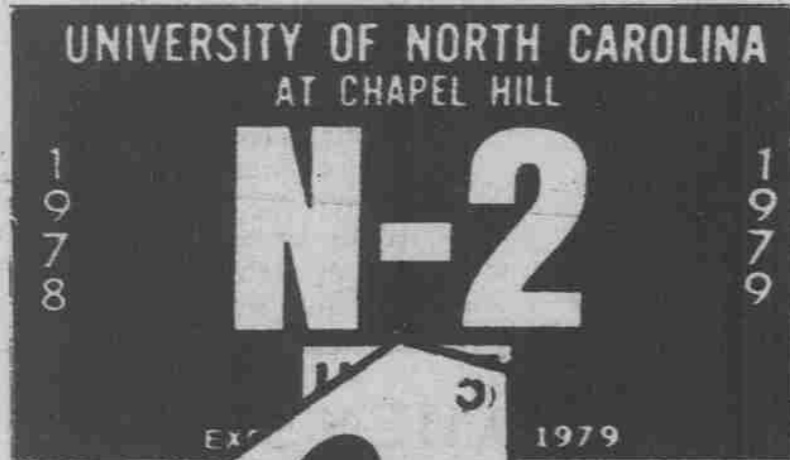
The problem, explained Ben Callahan, administrative assistant to the chief of police, is that the permit allows a party to exceed the noise limit by 20 decibels. This

often creates a conflict between students and permanent residents. Under the present ordinance, if the party has a permit the noise must exceed the set standard by 20 decibels at the time of the police monitoring to be held in violation. Callahan said that neither Springfest nor any of the campus or fraternity parties this past spring exceeded the permit limit. As a result, many complaints have been made to the police department, but as Callahan noted, "No one has been in violation of the ordinance since it was changed."

Alderman Gerry Cohen agreed that there are problems with the latest revision of the noise code. According to Cohen, the ordinance is currently being reviewed by a committee of aldermen. He agrees with Callahan that as the ordinance now stands, it cannot be used to control noise in Chapel Hill. Cohen said that the Board of Aldermen will study proposals for revising the ordinance over the summer and will meet with student representatives in August to prepare final revisions and compose a new noise control code for the town.

Under the old ordinance, the complaints of two or more people combined with the complaint of the investigating officer were sufficient evidence to determine any loud or disturbing noise in violation of the city code.

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