



Frequently Asked Questions (FAQs)

Revisions to Chapter 30, Noise and Sound Regulation



1. What are the proposed amendments to the Noise and Sound Regulations in Chapter 30?

- Create a commercial establishment sound permit.
- Increase the maximum citation fine from \$1,000 to \$2,000.
- Require that a permit be issued to an establishment rather than an individual.
- Refine the administrative hearing process for revocation of a permit.
- Codify regulations related to the issuance of a permit for a protest at a residential location.
- Establish a definition for "Commercial Establishment"
- Establish a definition for "Outdoors"
- Various non-substantive housekeeping amendments.

2. What is a Commercial Establishment?

A commercial establishment is any business entity that offers for sale or allows its patrons the ability to consume food or beverages or any combination thereof on its premises.

3. What is a Commercial Establishment Permit?

The new Commercial Establishment Permit will be required for any Commercial Establishment that wishes to play amplified sound outdoors or amplified sound appreciated outdoors within 300 feet of a residence. The permit will:

- Allow the establishment to play amplified sound to 75 d(B)A. Valid Time period:
 - Sunday – Thursday, 8:00 a.m. – 10:00 p.m.
 - Friday – Saturday, 8:00 a.m. – 11:00 p.m.
- Allow commercial establishment to play amplified sound outdoors to the decibel reading cited in §30-5 of the Code as measured from the receiving property (68 d(B)A for commercial properties and 58 d(B)A for residential properties). Valid for time periods:
 - Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
 - Friday – Saturday, 11:00 p.m. – 2:00 a.m.
- Be required for commercial establishments within 300 feet of a residence if playing outdoor amplified sound or sound that can be appreciated outside during:
 - Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
 - Thursday and Friday, 11:00 p.m. – 2:00 a.m.

Note: Commercial Establishments are not allowed to play *any* outdoor amplified sound between 2:00 a.m. and 8:00 a.m.

4. When will the proposed amendments be effective?

120 days from the date City Council approves the ordinance revisions.

5. Why are the amendments effective after 120 days instead of immediately?

During the 120-day implementation period, ARA will provide education about the new noise revisions to impacted commercial establishments, which gives the establishments time to come into compliance with the new regulations.

6. When will a commercial establishment need to obtain a commercial establishment permit?

A commercial establishment will have 120 days from the date of City Council approval to obtain the commercial establishment permit if playing amplified sound outside or amplified sound can be appreciated outside.

7. If a restaurant or bar already has an Annual Permit, will it be required to immediately apply for the new Commercial Establishment Permit?

No. If an Annual Permit is active, ARA will automatically convert the Annual Permit into a Commercial Establishment Permit when the ordinance becomes effective. No immediate action by the Permittee is necessary, nor an additional fee. The expiration date of the active permit will not change. Upon expiration of the permit, the Permittee will simply apply for renewal of the Commercial Establishment Permit, paying the same fee that was applicable for the Annual Permit.

8. If the permit will now be issued to an establishment and not to a person, how do I know who to contact?

As part of the application submission, the applicant will be required to provide the establishment's name and contact information for the owner/manager of the establishment.

9. How can a Commercial Establishment Permit be suspended or revoked?

ARA will recommend suspension or revocation of a permit if the Permittee:

- Fails to comply with any applicable provisions of Chapter 30; or
- Receives two (2) or more convictions for violation of any of the provisions of Chapter 30 within a 36-month period (this applies to the Permittee or any employee/agent of the Permittee).

10. How will the administrative hearing be initiated and how will the permittee find out about it?

When the Director (or designee) finds grounds for suspension or revocation of a permit, the Director (or designee) shall provide written notice to the Permittee which will include date, time, and location of the hearing.

Written complaints received by the Director from surrounding property owners may be taken into consideration in a final decision, **but complaints shall not be the sole basis for suspension/revocation of a permit.**

11. Will residents have the opportunity to participate in the administrative hearing process?

Residents may be called as witnesses during the hearing.

12. Can evidence about the permittee acquired before the establishment obtains a commercial establishment permit be used as a basis to revoke a commercial establishment permit?

No.

13. Can residents' comment on the sound impact plan that can be submitted as part of the Administrative Hearing process?

No, the Hearing Official is responsible for asking questions and approving or denying the sound impact plan.

14. When HPD responds to a noise complaint, where will the measurement for decibel readings be taken.

The measurement will be taken from the complainant's receiving property line towards the source of the sound. The measurement needs to be taken at the complaints receiving property line because that is where the complainant's comfort, rest and repose is being disrupted.

15. Will pedal parties be impacted with the ordinance revisions?

No, the City of Houston does not currently regulate pedal parties.

16. How can residents file noise/sound complaints?

Avenues to file a Noise/Sound complaint with Houston Police Department:

- **Phone:** 713-884-3131 (non-emergency line)
- **Online:** Attend a community meeting hosted by your local police station. (*map and listing can be found at https://www.houstontx.gov/police/pdfs/hpd_beat_map.pdf ;calling the station to obtain schedule will be required*)
- **Mail:** Via postal service to the Office of the Chief of Police, 1200 Travis Street – 16th floor, Houston, Texas, 77002