



LAW DEPARTMENT

Coleman A. Young Municipal Center
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July 11, 2024

Detroit City Council
1340 Coleman A. Young
Municipal Center
Detroit, Michigan

Re: Ordinance to Amend Chapter 16 of the 2019 Detroit City Code to allow non-motor vehicle noise on Friday and Saturdays in the Central Business District until 11pm.

Honorable City Council:

Council Councilmember Young has requested that the Law Department prepare an ordinance to amend Chapter 16 of the 2019 Detroit City Code, *Environment*, Article I, *Noise*, Subdivision b, *Non-Motor Vehicle Noise*; by amending Section 16-1-13(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise. A copy of the ordinance which has been approved as to form is attached for your review and consideration.

We are available to answer any questions that you may have regarding this proposed ordinance.

Respectfully submitted,

Graham Anderson
Assistant Corporation Counsel
City of Detroit Law Department

Enclosure
cc: Malik Washington

SUMMARY

AN ORDINANCE to amend Chapter 16 of the 2019 Detroit City Code, *Environment*, Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1-13(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise.

1 BY COUNCILMEMBER Santiago Romero:

2 AN ORDINANCE to amend Chapter 16 of the 2019 Detroit City Code, *Environment*,
3 Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1-
4 13(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit’s Urban
5 Cores continued growth as a world-class visitor destination by extending the hours permissible for
6 non-motor vehicle noise.

7 IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT
8 THAT:

9 Section 1. Chapter 16 of the 2019 Detroit City Code, *Environment*, Article I, *Noise*, by
10 amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1-13(a), *Specific*
11 *prohibitions of activities constituting noise violations*, to read as follows:

12 CHAPTER 16. ENVIRONMENT

13 ARTICLE I. NOISE

14 DIVISION B. NON-MOTOR VEHICLE NOISE

15 Sec. 16-1-13. **Specific prohibitions of activities constituting noise violations.**

16 (a) It is unlawful to engage in, assist in, permit, continue or permit in the continuance
17 of any of the following activities within City limits where the activity produces non-motor
18 vehicle noise between the hours of 10:00 p.m. and 7:00 a.m. with the exception of Fridays and
19 Saturdays in the Central Business Center where non-motor vehicle noise will only be prohibited
20 between the hours of 11:00 p.m. and 7:00 a.m. unless exempted by Section 16-1-14 of this Code:

- 21 (1) The performance or reproduction of music through vocals, musical instrument or
22 instruments, speakers of any type, music players, televisions, or mobile devices;

1 (2) The amplification or reproduction of speech through use of a microphone,
2 megaphone, bullhorn, any other sound magnification device; or

3 (3) The use of any steam or compressed air whistles or sirens.

4 (b) It is unlawful to engage in, assist in, permit, continue or permit in the continuance
5 of any of the following activities within a zoning district classified for residential use or
6 immediately adjoined by a zoning district classified for residential use where the activity
7 produces non-motor vehicle noise between the hours of 10:00 p.m. and 7:00 a.m. unless
8 exempted by Section 16-1-14 of this Code:

9 (1) The use of heavy construction equipment including pile drivers, jackhammers,
10 drills, or any other mechanical apparatus in building or constructions operations;

11 or


12 (2) The loading and unloading of vehicles or storage containers.

13 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,
14 health, safety, and welfare of the People of the City of Detroit.

15 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
16 repealed.

1 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City
2 Council Members serving, it shall be given immediate effect and become effective upon
3 publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this
4 ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it
5 shall become effective on the thirtieth (30) day after enactment in accordance with Section 4-118
6 of the 2012 Detroit City Charter.

Approved as to form:



Conrad J. Mallett
Corporation Counsel

FORMAL SESSION

July 30, 2024

Law Department

Santiago-Romero: To amend Chapter 16 of the 2019 Detroit City Code, *Environment*, Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1- 13(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise. **INTRODUCE**

Santiago-Romero, resolution setting a public hearing on foregoing ordinance amendment.

RESOLUTION FOR SETTING UP A PUBLIC HEARING

By Councilmember Gabriela Santiago-Romero:

Resolved, that a public hearing will be held by this body in the Committee Room, 13th Floor of the Coleman A Young Municipal Center for the purpose of considering the advisability of adopting the foregone amends a proposed ordinance to amend Chapter 16 of the 2019 Detroit City Code, *Environment*, Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1- 13(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise. **INTRODUCE**



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-2346

*** RE:**

Submitting reso. autho. Ordinance to Amend Chapter 16 of the 2019 Detroit City Code, Environment, Article I

*** SUMMARY:**

Environment, Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1-3(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise.

*** RECOMMENDATION:**

Environment, Article I, *Noise*, by amending Subdivision b, *Non-Motor Vehicle Noise*; to amend Section 16-1-3(a), *Specific prohibitions of activities constituting noise violations*; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise.

*** DEPARTMENTAL CONTACT:**

Name: Asiha Chambers
Position: Legal Secretary

***=REQUIRED**

NOTICE OF PUBLIC HEARING

RE: To amend Chapter 16 of the 2019 Detroit City Code, Environment, Article I, Noise, by amending Subdivision b, Non-Motor Vehicle Noise; to amend Section 16-1- 13(a), Specific prohibitions of activities constituting noise violations; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non-motor vehicle noise...etc.

Notice is hereby given that the **Detroit City Council Public Health & Safety Standing Committee** has scheduled a **PUBLIC HEARING** on **MONDAY, OCTOBER 7, 2024 at 10:15 A.M.**

Pursuant to the Michigan **Open Meetings Act** as amended, which authorizes the continued use of hybrid electronic meetings to provide virtual public participation in accordance with the requirements of **MCL 15.263a (2)**, the Detroit City Council will be meeting **in person** in the **City Council Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center** for the Public Health & Safety Standing Committee.

The Standing Committee may be viewed in the following manner.

1. Watch via television
 - Comcast: Channel 10
 - ATT: From Channel 99, click Detroit, then Channel 10
2. Watch online by using <https://detroitmi.gov/government/city-council> and clicking on Channel 10.
3. To attend by phone only, call one of these numbers:
+1-929-436-2866, +1-312-626-6799, +1-669-900-6833, +1-253-215-8782, +1-301-715 8592, or +1-346-248-7799 Enter Meeting ID: 330332554##
4. To attend online: <https://Detroitmi.gov/Online-CC-Meeting>

Public Comment:

To participate at the time of Public Comment, please raise your hand within the zoom application.

1. Telephone participants: Raise your hand by pressing *9
2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
 - a. Windows computer = [ALT] + [Y]
 - b. Apple computers = [OPTION] + [Y]

To be consistent with how Public Comment has been handled for in-person meetings:

- You will be called on in the order in which your hand is raised
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the City Clerk's Office CityClerkHelpDesk@detroitmi.gov via e-mail, for the record.

Summary

To amend Chapter 16 of the 2019 Detroit City Code, Environment, Article I, Noise, by amending Subdivision b, Non-Motor Vehicle Noise; to amend Section 16-1- 13(a), Specific prohibitions of activities constituting noise violations; to support Detroit's Urban Cores continued growth as a world-class visitor destination by extending the hours permissible for non motor vehicle noise

Janice M. Winfrey
City Clerk

NOTICE TO THE HEARING IMPAIRED:

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including American Sign Language, language translation and reasonable ADA accommodations. Please contact the **Civil Rights, Inclusion and Opportunity Department** at [\(313\) 224-4950](tel:3132244950), through the TTY number 711, or email crio@detroitmi.gov to schedule these services.