

Chapter 30

Noise Ordinance Review
Appendix

City Council Public Safety Committee
June 25, 2013

Ch. 30 Violation Disposition Summary

As shown in the accompanying chart, there were a total of 1,286 citations processed by the Municipal Courts Department. This represents a 7.26% increase over the prior period, or 87 additional citation dispositions.

This chart also provides a breakdown of violation dispositions by four primary activity sources of sound.

For the period of September, 2011 through September, 2012, the share of total violation dispositions accounted for by these various source types are:

- **Vehicle-related:** 25.82%
- **Animal-related:** 1.79%
- **Static Amplified:** 62.22% (all citation codes not otherwise captured in the vehicle-related, animal-related, or bass categories)
- **Bass:** 9.18%

Disposition Summary: Vehicle-related	9/11 - 9/12	9/12 - 2/13	Total
Dismissals			
After Deferred Disposition	4	1	5
At trial	188	68	256
Prior to trial	1	0	1
Not guilty, trial by jury	0	0	0
Subtotal Dismissals	193	69	0
Guilty/Liable			
Fined prior to trial	43	3	0
Guilty, trial by judge	96	39	46
Guilty, trial by jury	0	0	135
Subtotal guilty/liable	139	42	181
Total Dispositions: Vehicle-related	332	111	443
Share of guilty/liable of total	41.87%	37.84%	40.86%
Share of total dispositions	25.82%	27.14%	26.14%
Disposition Summary: Animals			
Dismissals			
After Deferred Disposition	0	0	0
At trial	12	8	20
Prior to trial	0	0	0
Not guilty, trial by jury	0	0	0
Subtotal Dismissals	12	8	20
Guilty/Liable			
Fined prior to trial	0	0	0
Guilty, trial by judge	11	0	11
Guilty, trial by jury	0	0	0
Subtotal guilty/liable	11	0	11
Total Dispositions: Animals	23	8	31
Share of guilty/liable of total	47.83%	0.00%	35.48%
Share of total dispositions	1.79%	1.96%	1.83%
Disposition Summary: Static Amplified			
Dismissals			
After Deferred Disposition	2	1	3
At trial	480	145	625
Prior to trial	3	1	4
Not guilty, trial by jury	2	0	2
Subtotal Dismissals	487	147	634
Guilty/Liable			
Fined prior to trial	68	10	78
Guilty, trial by judge	257	81	338
Guilty, trial by jury	1	0	1
Subtotal guilty/liable	326	91	417
Total Dispositions: Static Amplified	813	238	1051
Share of guilty/liable of total	40.10%	38.24%	39.68%
Share of total dispositions	63.22%	58.19%	62.01%
Disposition Summary: Bass			
Dismissals			
After Deferred Disposition	2	1	3
At trial	86	41	127
Prior to trial	0	0	0
Not guilty, trial by jury	1	0	1
Subtotal Dismissals	89	42	131
Guilty/Liable			
Fined prior to trial	10	1	11
Guilty, trial by judge	19	9	28
Guilty, trial by jury	0	0	0
Subtotal guilty/liable	29	10	39
Total Dispositions: Bass	118	52	170
Share of guilty/liable of total	24.58%	19.23%	22.94%
Share of total dispositions	9.18%	12.71%	10.03%
Disposition Summary: All Dispositions			
Dismissals			
After Deferred Disposition	8	3	11
At trial	766	262	1028
Prior to trial	4	1	5
Not guilty, trial by jury	3	0	3
Subtotal Dismissals	781	266	1047
Guilty/Liable			
Fined prior to trial	121	14	135
Guilty, trial by judge	383	129	512
Guilty, trial by jury	1	0	1
Subtotal guilty/liable	505	143	648
Total Dispositions: All	1286	409	1695
Share of guilty/liable of total	39.27%	34.96%	38.23%
Share of total dispositions	100.00%	100.00%	100.00%

Disposition Summary: Static Amplified	9/11 - 9/12	9/12 - 2/13	Total
Dismissals			
After Deferred Disposition	2	1	3
At trial	480	145	625
Prior to trial	3	1	4
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Locations holding valid TABC license in Houston City limits	4089	3540	
Static-Amplified Share of Total Locations Holding valid TABC license in Houston City Limits	19.88%	6.72%	
Bass Share of Total Locations Holding valid TABC license in Houston City limits	2.89%	1.47%	

NOTE: Although it is not possible to draw a specific relationship between the addresses associated with citations issued and the addresses for bars, restaurants, or other entertainment venues, ARA attempted a conservative estimate of the upper limit of such locations that could have been issued a citation.

ARA identified all locations within the City limits that held a relevant TABC license for the periods described above. We then made a very conservative assumption that every citation categorized as “static amplified” was issued to a bar, restaurant, or other entertainment venue. Admittedly, due to the fact that the overwhelming majority of CFS related to activity at a single-family residence or multi-family housing, that event has a very low probability of occurrence. However, the comparison presented above indicates that no more than 20% of these establishments could have received a citation for violation of Chapter 30.

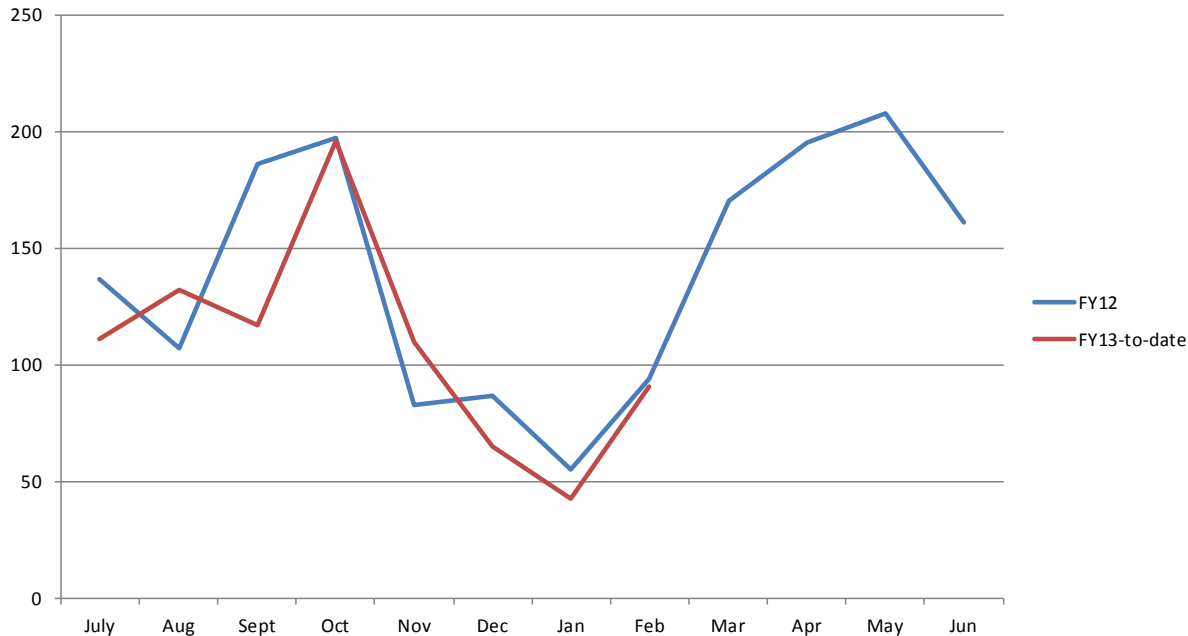
Amplified Sound Permit Activity

Noise Permits Issued by Month

FY12:	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total, FY12
Extended	0	0	0	3	1	0	4	8	5	2	8	5	36
Annual	0	0	0	1	0	1	1	1	1	0	0	1	6
Daily	137	107	186	193	82	86	50	85	164	193	200	155	1638
Total	137	107	186	197	83	87	55	94	170	195	208	161	1680

FY13-to-date:	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Total, FY13-to-date
Extended	2	3	10	6	2	1	0	3	27
Annual	2	0	0	2	1	1	0	1	7
Daily	107	129	107	188	107	63	43	87	831
Total	111	132	117	196	110	65	43	91	865
Year-over-Year	-18.98%	23.36%	-37.10%	-0.51%	32.53%	-25.29%	-21.82%	-3.19%	-8.56%

Noise Permits: July, 2011 - February, 2013



- The revisions to Chapter 30 approved in October, 2011 implemented a tiered amplified sound permit structure.
- The previous regulations provided for only a daily permit, which could be issued no more than twice in a rolling 30-day period.
- The new tiered structure provides for a daily, extended daily (2 to 5 days), and annual permit. This chart presents the number of each permit issued for FY12 and FY13-to-date.
- ARA developed an educational video and flyer for noise applicants, which are available online: <http://www.houstontx.gov/ara/regaffairs/commercial/noise.html>