Enforcement of Noise Violations in the City

Police Dept.,
ESD Code Compliance,
Planning & Inspections Dept.

“Delivering Outstanding Services”
ENFORCEMENT ROLES
Noise Enforcement

- EPPD: Nuisance calls 7 days/week at any hour
- ESD Code Compliance: Nuisances M-F during business hours
- Planning & Inspections: Initial Permit Inspection and Renewals

“Delivering Outstanding Services”
El Paso Police Dept. (EPPD)

• Will respond to all noise/nuisance complaints, regardless of day or time of day

• Will respond to potential violations of outdoor sound permit:
  – Check for posted sound permit
  – No amplified sound after midnight
  – 70 dB reading at property line
• Will respond, within 24 hrs, to noise nuisance complaints received Mon. – Fri. 8:00 am - 4:00 pm
• Conduct follow-up compliance visits for EPPD citations at establishments with outdoor sound permits and at properties with recurring noncompliance
• Track complaints and maintain compliance history in the City’s Accela database
Planning & Inspections Dept.

• Process permit application and coordinate public notification procedure
• Conduct initial permit application inspection and permit renewal inspections
• Issue permit and manage appeals process
• Conduct building code inspections for potential violations, when referred by EPPD or ESD Code Compliance

“Delivering Outstanding Services”
Processes

INPUT

OUTPUT

PROCESS

“Delivering Outstanding Services”
EPPD

• If a violation of the noise nuisance ordinance is observed, an officer may:

  – Issue a written warning;
  – Generate a written report; and/or
  – Issue a Class C citation
ESD Code

• If a violation of the noise nuisance ordinance is observed, a Code Enforcement Officer may:

  – Issue a notice of correction;
  – Issue a Class C citation; or
  – File a prosecution request with the City Prosecutor
Class C Citations

• Citations are always issued at the discretion of the responding officer
Fines and Court Costs

• A Class C Offense is punishable by a fine of not more than $500.00 per offense

  NOISE/EXTERIOR NOISE VIOL 383 MC

• Fine $161.00
• Court costs $ 61.00
• Total $ 222.00
Planning & Inspections

• Have the power to suspend or revoke permit for continued noncompliance
• Issue notices of corrections for violations of the City Building Code
TRAINING
Sound Level Measurement

• PD and Code Officers have received training on properly utilizing sound level meters
• New officers will receive initial training
• Refresher training will be conducted periodically for each officer
Person of Reasonable Sensibilities

• EPPD and Code Enforcement Officers may utilize the Person of Reasonable Sensibility Standard

• EPPD and ESD will receive initial and periodic refresher training on this standard, which includes:
  – Volume
  – Time of day
  – Type of noise
  – Duration of noise
Resources

- Currently there are 28 sound level meters (approximately 4-6 at each Regional Command)
- The costs of a meter is approximately $70.00
- The cost to equip each patrol unit (300) with one meter is approximately $21,000
- EPPD will incur the costs to purchase the meters
Recommendations

• Create an Environmental Court to address violations of Title 9 of the El Paso City Code

EPPD response to noise disturbance calls
2017 – 6,675
2018 – 6,489 (approx. 400-600 calls monthly)
Recommendations cont

• Create a permanent code enforcement task force, comprised of multiple City departments:
  
  Fire, ESD, P&I, and EPPD
Sound Level Meter

- EPPD or ESD may utilize a noise meter if one is readily available