



Frequently Asked Questions (FAQs)
Revisions to Chapter 30, Noise and Sound Regulation
City Council Agenda Item No. 15
April 26, 2022



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

The proposed amendments to Chapter 30 of the Houston Code of Ordinances include the following:

- Increase the maximum fine from \$1,000 to \$2,000.
- Require that a permit be issued to an establishment rather than an individual.
- Codify and 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.
- Create a commercial establishment sound permit.
- Various non-substantive housekeeping amendments.

2. When will the proposed amendments be effective?

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

3. 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.

4. What is a Commercial Establishment Permit?

The new Commercial Establishment Permit will be required for any Commercial Establishment that wishes to play amplified sound according to the criteria described in #5 below. 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.
- Will 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.
- Is 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.
- Commercial Establishments are not allowed to play any outdoor amplified sound between 2:00 a.m. and 8:00 a.m.

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

A commercial establishment will have 120 days to obtain the commercial establishment permit if playing amplified sound outside or amplified sound can be appreciated outside.

6. If a commercial establishment already has an annual permit, will it be required to immediately get a new commercial establishment permit?

No, if an annual permit is active, the permit will be converted to a commercial establishment permit 120 days after passage, then will expire when the annual permit would have expired.

7. How is “outdoors” defined?

Any portion of a commercial establishment that is not fully enclosed by permanent solid walls and a roof.

8. To whom will a sound permit be issued if the applicant an establishment and not an individual?

The permit will be issued to the establishment (considered the applicant) and will include contact information for the owner and/or manager of the establishment.

9. Will the Administrative Hearing Process be revised? If so, will there be an opportunity to cure or mitigate before the permit is revoked?

Yes.

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

A sound permit can be suspended or revoked if:

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

11. How will the administrative hearing be initiated?

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.**

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

Residents may be called as witnesses during the hearing.

13. 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.

14. 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.

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