

Notre Dame College

Noise Policy

Policy Statement

The Notre Dame College is committed to providing educational opportunities for its students, as well as supporting collegiate athletic events (both internal organized sports as well as rental of our facilities to other outside groups), multi-generational events, band and music programs, performing arts, just to name a few. The College also recognizes its civic responsibilities in compliance with local ordinances of the City of South Euclid, as well as its desire to respect the living environment of our surrounding residential neighborhood and its occupants, and maintain an acceptable level of sound when generated by a sound generating device (e.g. radio, receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound; construction or maintenance machinery; or any other device not otherwise stated, that can generate sound that is applicable to the City of South Euclid Municipal Ordinances) .

As part of the Colleges normal business activities and functions, the emission of noise is inevitable, however, the College commits to ensure noise levels are reasonable and within the codified ordinances of the City of South Euclid, Ohio.

Purpose

The purpose of this policy is to ensure compliance with the Ordinances of the City of South Euclid, Ohio, as well as being civically responsible to our community and surrounding neighborhood when generating noise.

Scope:

All departments, staff and faculty of the College; all contractual agreements with outside users of our facilities or general contractors; or, vendors who use or operate sounds generating equipment upon the campus.

General Policy Provisions for Sound Generating Devices;

1. No activity or event shall be scheduled for an unsuitable location, taking into account considerations of size, accommodations, traffic, noise, time, relationship to nearby area and activities, and other relevant facts and circumstances.
2. In consideration of recurring problems with noise to campus areas as well as surrounding residential area arising from events scheduled outdoors, amplification of music will only be permitted between the following hours:

| | |
|----------------|---------------------|
| Monday-Friday: | 7:00 am to 11:00 pm |
| Saturday: | 8:00 am to 11:00 pm |
| Sunday: | 9:00 am to 11:00 pm |
3. Noise levels must be maintained at a reasonable level and no greater than 85dB (decibels) at the College property line (as determined by the Notre Dame College Police and the use of a decibel meter). Notre Dame College Police has full authority to ensure compliance of this policy or the event will be closed.
4. No speaker, amplification system or sound generating device shall be directly aimed or pointed towards any of the surrounding residential homes in and around the campus. Every effort should be made to ensure noises are directed towards College property and not 'outward.'
5. In the spirit of the Mission, Core Values and Catholic Identity of the Notre Dame College, music selection (music to be played over any sound system or device or sound amplification equipment) should be carefully selected and considered to respect not only the traditions and values of the College, but take in to consideration the local community (residential housing with children) and the

negative perception others may have of the college if the music is deemed inappropriate. Music that specifically contains lewd-sexually oriented, sexually explicit, or vulgar/profane language is prohibited from being played. Notre Dame College Police or staff has full authority to ensure compliance of this policy. If a complaint is received that the music played is inappropriate or is deemed to be in violation of this policy, a warning will be issued to the responsible Event Coordinator or Event Sound Technician, that the music played is inappropriate. Any further violation may result in the sound system being shut down for non-compliance with this policy.

6. Should a complaint be received regarding noise from an event (internal or external complaint), the Notre Dame College Police will visit the site to make a determination on the noise level and verify that the noise level is within compliance of this policy or not in compliance with this policy. If it is determined that the sound level exceeds the guidelines of this policy and is creating a disturbance, the officer will direct that the level be lowered to a reasonable level that complies with this policy. If the level intensifies or the complaint was not satisfactorily remedied, the police officer has the authority to order the sound equipment to be shut down.
7. All amplified music outdoors must end by the above listed times. Should an event require an extension, past the permitted times, written permission (variance) must be sought from the City of South Euclid, on a case-by-case basis.

Students and student led events shall work directly with the Dean of Students to obtain the necessary permits and file the variance paperwork from the City of South Euclid, Ohio.

All other groups/organizations of the campus shall work directly with the Chief of Police to obtain the necessary permits and file the variance paperwork from the City of South Euclid, Ohio.

8. Amplified music/voices or other sounds originating from within facilities on campus are subject to the same scrutiny as those as outdoor events. Notre

Dame College Police officers and/or College staff will respond to complaints directly or by observation of excessive noise. Following an assessment of the situation which would include the volume level at approximately 75 feet from the facility, the officer or staff member may ask that the volume be lowered so as to minimize the disruption. If the group or individual fails to cooperate with the request, the officer or staff member may shut off the amplified music, voice, or sounds, and/or close the event, or take the necessary enforcement action. After normal ending times for social events, it is expected that any music/noise level will be dramatically lowered to the point that it would not disturb adjacent areas. After an initial warning and request to bring the volume into an acceptable range, the Notre Dame College Police officer(s) and/or College staff may direct that the music be turned off.

9. Responsibilities of the Event Director or Organizer
 - a. Provide quality sound equipment that is balanced and controllable.
 - b. Hire or ensure a responsible, trained Sound Technician properly monitors and controls the sound equipment within the guidelines stated.
 - c. Ensure proper oversight and management of any Sound Technician and ensure sounds levels do not exceed policy standards and in full compliance with this policy in part or whole.
 - d. Ensures and monitors the appropriateness and content (lyrics) of music played is within the guidelines of this policy. Music that contains lewd-sexually oriented, sexually explicit, or vulgar/profane language is prohibited.
10. Responsibilities of the Sound Technician
 - a. Make appropriate adjustments to the sound system to ensure compliance with the above policy.
 - b. Maintain sound levels that provide for a pleasurable experience for audiences as well as for team performances.
 - c. Ensure speakers and sounds generation equipment is directed at the event and away from residential homes.

- d. Ensure speaker volume is no greater than 85dB at the college property line.
- e. Ensure the appropriateness and content (lyrics) of music played is within the guidelines of this policy. Music that contains lewd-sexually oriented, sexually explicit, or vulgar/profane language is prohibited.

General Policy Provisions for Operation of Machinery or Maintenance Equipment

1. All noise generating equipment (landscaping and noise generating maintenance equipment, blowers, tractors, heavy machinery, jackhammers, etc.) shall comply with the regulations as established under the City of South Euclid Municipal Ordinance.
2. In consideration of the City of South Euclid Municipal Ordinance, the use of such machinery or equipment shall not operate outside the below listed hours:
 - Monday-Friday: 7:00 am to 6:00 pm
 - Saturday: 8:00 am to 6:00 pm
 - Sunday: 9:00 am to 6:00 pm
3. Should a complaint be received, or by direct observation, regarding noise that is in violation of this policy, the Notre Dame College Police will immediately direct that the device or unit generating the noise be immediately shut down and remedy the situation. Failure to comply may cause the operator to be cited for violation of the City of South Euclid Municipal Ordinance.

Exhibit A

City of South Euclid, Ohio
[Selected Applicable Sections] Noise Ordinance:

509.13 PROHIBITED NOISES DEFINED.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but such enumeration shall not be deemed to be exclusive:

(Ord. 35-74. Passed 7-31-74.)

(b) Sound Producing Devices and Systems. The using, operating or permitting to be played, used or operated, of any radio, receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room or chamber in which such machine or device is operated and who are voluntary listeners thereto; the use or operation upon any public road, street or highway in this Municipality, of any radio, boombox, music player or audio system in a motor vehicle, at such volume so as to disturb the quiet, comfort or repose of other persons or at a volume which is plainly audible to persons other than the occupants of said vehicle. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. of the following day Monday through Friday; 11:00 p.m. and 8:00 a.m. on Saturday and 11:00 p.m. and 9:00 a.m. on Sunday, in such manner as to be plainly audible to a person upon any public road, street or highway or in a suite or dwelling outside of the one in which such instrument or device, as enumerated herein, is located, shall be prima- facie evidence of a violation of this section.

(Ord. 16-96. Passed 6-10-96.)

(j) Loudspeakers and Amplifiers for Advertising. The using, operating or permitting to be played, used or operated any radio, receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any person building or structure.

(k) Pile Drivers and Hammers. The operation between the hours of 7:00 p.m. and 6:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance the use of which is attended by loud or unusual noise .

(m) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(Ord. 35-74. Passed 7-31-74; Ord. 54-07. Passed 10-22-07.)