Tudor Area Community Council
Resolution 2022-01
Noise Control & Illegal Exhaust Systems Noise

Whereas, the current code sets expectations for the public that are frequently not achieved (Ombudsman "AMC 15.70 – Noise Control & AMC 9.44.330 – Muffler and Exhaust System" October 8, 2021); and

Whereas, excessive sound and vibration are a serious hazard to public health and welfare and the quality of life, whereas a substantial body of science and technology exists by which excessive sound and vibration may be significantly abated, and whereas the people of the municipality have a right to an environment free from excessive sound and vibration that may jeopardize their health and welfare or degrade the quality of life, it is therefore the policy of the Municipality to prevent excessive noise that may jeopardize the health or welfare of its citizens or degrade the quality of life (emphasis added, AMC 15.70.020); and

Whereas, the number of persons contacting the Ombudsman's Office, the Anchorage Police Department (APD), the Anchorage Health Department (AHD), the Office of the Mayor and Members of the Anchorage Assembly with concerns related to excessively noisy motor vehicles has increased significantly over the past few years (Ombudsman, October 8, 2021); and

Whereas, no person may operate a motor vehicle, except in an event for which a permit has been obtained pursuant to chapter 15.70, with a noise level in excess of 85 dBA at 50 feet from the center of the lane of travel or the nearest property line, whichever is closer; and furthermore, no person may operate a motor vehicle in a residential area after 8:00 p.m. or before 8:00 a.m. with a noise level in excess of 75 dBA at 50 feet from the center of the lane of travel or the nearest property line, whichever is closer (AMC 9.44.330); and

Whereas, the sound level standard is measured at 50 feet or more or an equivalent sound level at some other convenient distance according to testing procedures established pursuant to section 15.070.040.B.1 (AMC 15.70.090); and

Whereas, the department and the police department may, except as otherwise prohibited by law, stop any motor vehicle, motorcycle or motorboat operated on a public right-of-way, public space or public waterway reasonably suspected of violating any provision of this chapter and issue a notice of violation or compliance order after the motor vehicle, motorcycle or motorboat is inspected or tested on-site as the department and the police department may require" (AMC 15.70.040.A.5); and

Whereas, enforcement of AMC 9.44.330 by APD is impractical because the available testing meters are used at the tailpipe by AHD to obtain accurate readings.

BE IT THEREFORE RESOLVED, the Tudor Area Community Council faces a serious hazard to public health and welfare and the quality of life due to illegally loud vehicle noise; and

THEREFORE, the Tudor Area Community Council supports the recommendations in the Ombudsman's 08 October 2021 report; and

THEREFORE, the Tudor Area Community Council supports discussion between municipal attorneys, APH, APD and the Assembly to propose code changes that contain a sound level standard measured at the tailpipe that is operationally practical for APD to enforce; and

THEREFORE, the Tudor Area Community Council requests appropriate staff from AHD and APD to work with Legal to propose code revisions that can facilitate implementation and enforcement; and

THEREFORE, the Tudor Area Community Council encourages APD to purchase two certified noise level meters for the Traffic Unit; and

THEREFORE, Tudor Area Community Council supports the training of APD officers in using sound level meters to augment the reasonable person standard in the code; and

THEREFORE, Tudor Area Community Council supports a higher fine for violations of excessive traffic noise that are not resolved by fixing the faulty equipment; and

THEREFORE, Tudor Area Community Council supports APD and AHD enforcement of AMC 9.44.330 and AMC 15.70.

_____   _____
Tod Butler, Interim President   Date
Tudor Area Community Council

We certify that the vote was _____ IN FAVOR, _____ AGAINST, _____ ABSTAIN.