



CITY OF WASHINGTON, ILLINOIS Committee of the Whole Agenda Communication

Meeting Date: March 10, 2025

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Agenda Item: Municipal Noise Regulations Review

Explanation: Following the February 10 Committee of the Whole meeting, three alderpersons requested that staff review other municipal noise regulations of cities with outdoor event spaces that could be comparable to the proposed Dee Amphitheater in Washington.

Section 36-5 (Noise Control) of the Municipal Code addresses the standards for noise on any property located in the city limits. It states: "Between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 7:00 a.m. Friday and Saturday, it is unlawful for any person within the city to make, continue or cause to be made or continued, any loud, unnecessary or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, convenience, health, peace or safety of others, within the limits of the city, where such loud, unnecessary or unusual noise can be clearly heard 100 feet from the boundary of the property upon which the sound is produced or reproduced." Violations of such section of the Municipal Code are punishable by a fine of not less than \$100.00 and not more than \$750.00 (Section 36-5(c) of the Municipal Code). These standards are enforceable for every property within the city limits.

The Illinois Environmental Protection Agency (IEPA) has sound emission standards. While IEPA does not have an active noise control program, any local law enforcement can enforce the regulations. The IEPA regulations define daytime hours as between 7:00 a.m. and 10:00 p.m. Sound levels are to be measured at least 25 feet from the property-line noise source. An outdoor event facility like an amphitheater would be classified as Class B land.

Staff reviewed many Illinois municipal noise regulations as part of any consideration given to amending the City's regulations. Emphasis was placed on regional municipalities and those with known or planned outdoor event facilities in order to expand the search parameters. Please note that this review covered the general municipal regulations. Staff is not aware of if there were any prior adopted regulations that are specific to the operation of any particular outdoor event facility. These are summarized as follows:

- **City of Aurora:** Section 29-22 states in part "(b) No person on any private open space, between the hours of 10:00 p.m. and 7:00 a.m., shall use, operate or cause to be used any device or instrument that creates or amplifies sound, including but not limited to any loudspeaker, bullhorn, amplifier, public address system, radio, or device that plays recorded music, to generate any sound for the purpose of communication or entertainment, that is louder than average conversational level at a distance of seventy-five (75) feet or more from the property line of the property from which the noise is being generated. (c) The limitations imposed in this section do not apply to a person participating in a parade, athletic event, public assembly, or outdoor special event, as defined in sections 27-7- and 27-9 and chapter 8, of this Code; provided that a permit has been issued, if required, and the person is in compliance with the permit."

Among the noises that are prohibited is the following in Section 29-205: "(e) *Loudspeakers, amplifiers, public address systems, and similar devices:* The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for

producing or reproducing sound, except as may be permitted by section 29-22 of the City of Aurora Code of Ordinances, between the hours of 10:00 p.m. and 7:00 a.m. of the following day on weekdays, and 10:00 p.m. and 10:00 a.m. of the following day on weekends and holidays (holidays shall consist of Christmas Day, Thanksgiving Day, New Year's Eve, New Year's Day, Memorial Day, and Independence Day) in the following areas:

- (1) Within or adjacent to residential or noise-sensitive areas;
- (2) Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous. This shall not apply to any public performance, gathering, or parade or which a permit has been obtained from the local government.”

Takeaway: The City of Washington could consider adopting a permit system to address specific events such as those that could take place at an amphitheater, a parade, and/or school activities.

- **City of Bloomington:** Among the noises that are prohibited are: “Sound reproducing devices, loudspeakers, amplifiers. The using, operating or permitting to be played, used or operated any musical instrument, machine or electronic device, radio receiving set, phonograph, loudspeaker, sound amplifier or other objects for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or any time with louder volume than is necessary for the convenient hearing of the person or persons who are in the room, chamber, vehicle or outdoor area in which such machine or device is operated and who are voluntary listeners thereto.

“Decibel levels. No person shall make, continue, or cause to be made or continued or to allow to be made on premises under the person's ownership or control any continuous, predictable or recurring source of sound in such a manner as to create a sound pressure level, measured on a sound level meter using the A-weighting network, at or within the property limits of the receiving property which exceeds (70)dB(A). Any person providing testimony on electronic measurements shall use procedures for the measurement of sound that conform to the standards and recommended practices established by the American National Standards Institute.”

Takeaway: Measuring specific decibel levels would require training and equipment. While there could still be subjectivity involved, setting set noise limits may be better than attempting to adjudicate what is “unusual or unreasonable noise.”

- **Village of Bolingbrook:** While staff did not find general noise regulations, the following is found in Section 54-610 specific to special use standards: “(4) Summer theater, amphitheater. The site shall contain at least five acres. The site shall have direct access to a major street. All structures, viewing area, and seating areas shall be set back at least 100 feet from any street or boundary line. All parking areas and accessways shall be adequately lighted; and such lighting shall be shielded or directed so as to prevent glare or reflections onto neighboring properties or public streets. Off-street parking spaces shall be provided in accordance with the provisions of section 54-535. The following accessory uses may be permitted as incidental to, and limited to patrons of the principal use:
 - a. Amusement park, kiddyland.
 - b. Refreshment stands or booths.
 - c. Souvenir stands or booths.”
- **City of Champaign:** “The use of power tools is prohibited, except that such tools can be used between the hours of 7:00 a.m. and 10:00 p.m. for reasonable lengths of time. The use of any sound amplification device is prohibited except that they may be used in commercial areas during the same hours if the sound produced by such device is not clearly audible at the boundary line of any residential district and not clearly audible at any one location for an unreasonable length of time. The use of any musical instrument is prohibited except that

a single musical instrument without amplification may be used during the same hours for reasonable lengths of time.” Among the exemptions granted are to the following: “Parades, concerts, festivals, fairs, or other such activities which are open to the general public and operated or conducted in accordance with other applicable ordinances and pursuant to a permit. Athletic, musical, or cultural activities or events, including practices and rehearsals, conducted by or under the auspices of governmental units or educational institutions.

“Persons shall only be permitted to use or operate musical instruments and/or sound amplification devices which are clearly audible beyond the property line of the property line or dwelling unit in question between 7:00 a.m. and midnight on Friday, Saturday, any Sunday which falls immediately before a holiday observed on a Monday by the Federal Government, and July 3 of any given year. Musical instruments and/or sound amplification devices can be used between 7:00 a.m. and 11:00 p.m. on Sunday through Thursday.”

- **City of Chillicothe:** Among the noises that are prohibited are: “1) *Musical instruments generally.* The use or performance with any hand organ or other musical instrument or device for pay or in expectation of payment, in any of the streets or public places in the city before 7:00 a.m. or after 10:00 p.m. of each day; 2) *Radios, phonographs, amplifiers, etc.* The use or operation of any radio receiving unit, musical instrument, phonograph, loudspeaker, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than necessary for convenient hearing for the person who is in the room, vehicle, or chamber in which such machine or device is operated and who is a voluntary listener thereto. The operation of any such set, instrument, phonograph, loud speaker, machine or device between the hours of 10:00 p.m. (11:00 p.m. on Fridays and Saturdays) and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section. Notwithstanding the foregoing, the city council may extend the deadlines set forth above upon the request of a property owner made in writing to the city at least 30 days prior to the date for which an extension is requested to such times as the city council shall determine;

“3) *Sound advertising devices.* The making or causing, permitting or allowing to be made any noise of any kind, by means of radio, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound, for the purpose of commercial advertising or attracting the attention of the public to any building or structure; 4) The operation of any motor vehicle having mounted thereon or attached thereto any machine or device for the amplification of the human voice, music, or any other sound for commercial sound advertising purposes in the city with such sound amplifying equipment in operation; 4) *Sound amplifying equipment, devices.* The operation of any contrivance now known or hereafter invented, used, or designated for navigation or for flight in the air, having attached thereto or emitted therefrom any machine or device for the amplification of music, the human voice or any other noise or sound, with such machine or device in operation; and

“5) The use of any sound amplification devices at such a volume as to cause annoyance to the residents of the city thereby tending to disturb the peace of said residents between the hours of 10:00 p.m. (11:00 p.m. On Fridays and Saturdays) to 7:00 a.m. Notwithstanding the foregoing, the city council may extend the deadlines set forth above upon the request of a property owner made in writing to the city at least 30 days prior to the date for which an extension is requested to such times as the city council shall determine.”

- **City of Country Club Hills:** Among the acts, conduct and conditions that are declared to be nuisances is the following: “3. *Radios/Tape Recorders, Etc.* The use or operation of any radio receiver, set, musical instrument, phonograph, or other machine or device for the producing or reproducing sound in such a manner as to disturb the peace, quiet and comfort of the residents of residentially-zoned neighborhoods. The operation of such set,

instrument, phonograph, machine or device between the hours of 9:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this subsection.”

- **City of East Peoria:** Among the noises that are prohibited are: “1) *Radios, phonographs, etc.* The playing of any radio, phonograph or musical instrument with such volume, particularly between the hours of 11:00 p.m. and 7:00 a.m., as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, hospital, dwelling, hotel or other such building; 2) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise; and 3) *Loudspeaker or amplifiers.* The unreasonable use of any amplifiers or loudspeakers in the course of any public address.”
- **City of Eureka:** Among the noises that are prohibited are: “*Radios, musical instruments, etc.* The playing of any radio, musical instrument, loud speaker or amplifier, between the hours of 8:00 p.m. and 7:00 a.m.”
- **Village of Germantown Hills:** Among the noises that are prohibited are: “1) *Radios, Music:* The playing of any radio, phonograph or musical instrument with such volume, particularly between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M., as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, hospital, care center, dwelling, hotel or other such building; 2) *Noises To Attract Attention:* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise; and 3) *Loudspeakers Or Amplifiers:* The unreasonable use of any amplifiers or loudspeakers in the course of any public address.”

Exempted from those provisions is “Activities, events, or uses approved in advance by the village board of trustees. Examples might be the village Octoberfest celebration, neighborhood or block parties, and the like.”

- **Village of Metamora:** Among the noises that are prohibited are: “1) *Radios, Phonographs, Etc.* The playing of any radio, phonograph or musical instrument with such volume, particularly between the hours of ten p.m., and seven a.m., as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, hospital, dwelling, hotel or other such building; and 2) *Loud Speaker or Amplifiers.* The unreasonable use of any amplifiers or loud speakers in the course of any public address.”
- **Village of Morton:** Among the uses and activities exempt from the general noise prohibitions is: “Activities sanctioned or authorized by the Village of Morton, Morton Park District, or Morton School District 709 in which the location of such activities are conducted in accordance with the manners and customs in which such spaces are generally used. This would include, but not be limited to, outdoor or indoor gatherings, public dances, shows, and sporting events, and other similar events of public assembly.”
- **Town of Normal:** “It is unlawful to use or operate a sound amplifying device on public property, including rights-of-way, or on property other than a residential area in such a manner that the device produces loud and raucous sounds at a distance greater than 50 feet from the device, unless a permit has been obtained under SEC. 17.5-4. Anyone desiring to use or operate a sound amplification device beyond the limits stated in item (2) of SEC. 17.5-2 or stated in SEC. 17.5-3 must make application to the Chief of Police for a sound amplification permit. The application must state whether live or recorded sound will be amplified, and if live, the names and addresses of the performers must be provided.

1. The following terms apply for each permit:

1. The permit is in effect only from 10:00 a.m. to 11:00 p.m., local time, Sunday through Thursday and 10:00 a.m. to 12:00 midnight Friday and Saturday.
 2. The sound amplification device may not produce loud and raucous sounds greater than 100 feet from the device.
 3. The permit may not allow loud and raucous sounds within 50 feet of a school or church during the hours they are in session or within 50 feet of a hospital or nursing home.
2. The Chief of Police or his designee shall issue a permit to anyone who applies for the same. The Police Chief or his designee may deny a permit for a location if a violation of this Division 5 has occurred at that location within the past two years, or the person or entity seeking the permit has violated any Section of this Division 5 within the past two years. The Police Chief may deny a permit if a permit for this location or within 300 feet of this location has been issued within the past three months, and the Police Chief reasonably believes that the issuance of the permit would unreasonably disturb the peace and quiet of the neighborhood.
 3. Each permit is valid only during the time specified in the permit.
 4. Each permittee must comply with all the provisions of this Division 5 and is responsible for seeing that the sound amplifying device is used or operated in accordance therewith.”
- **City of Ottawa:** “It shall be unlawful to create or cause a sound or noise, excluding noise emanating from cars, trucks, or motorcycles operating on a public roadway, from one property into another, which exceeds the limiting noise spectra set forth in this subsection, determined by zoning districts. Sound or noise projecting from one use district into another use district with a different noise level limit shall not exceed the limits of the district into which the noise is projected.” The maximum permissible sound pressure level (dBa) to any residential zoning district between 7:00 a.m. and 10:00 p.m. for properties operating *without* a liquor license is 65 dBa and between 10:00 p.m. and 7:00 a.m. is 50 dBa. The maximum dBa to any commercial zoning district between 7:00 a.m. and 10:00 p.m. for properties operating *without* a liquor license is 75 dBa and between 10:00 p.m. and 7:00 a.m. is 50 dBa.

“The maximum dBa to any residential zoning district between 7:00 a.m. and 10:00 p.m. for properties operating *with* a liquor license Sunday through Thursday is 65 dBa and between 10:00 and 7:00 a.m. is 50 dBa. The maximum dBa to any commercial zoning district between 7:00 a.m. and 10:00 p.m. for properties operating *with* a liquor license Sunday through Thursday is 75 dBa and between 10:00 p.m. and 7:00 a.m. is 60 dBa.

“The maximum dBa to any residential zoning district between 7:00 a.m. and 11:59 p.m. for properties operating *with* a liquor license on Friday, Saturday, Memorial Day eve, July 3rd, Labor Day eve, and Thanksgiving eve is 65 dBa and between 11:59 p.m. and 7:00 a.m. is 50 dBa. The maximum dBa to any commercial zoning district between 7:00 a.m. and 11:59 p.m. for properties operating *with* a liquor license on any of those same days is 75 dBa and between 11:59 p.m. and 7:00 a.m. is 60 dBa.”

Among the uses and activities that are except from the noise level regulations is

“Community events: The term ‘community events’ shall include such events as parades, festivals, drum corps shows, sporting events, Fourth of July celebrations, and sanctioned or sponsored events in whole or in part by local governments, schools, or charitable or service organizations.”

- **City of Pekin:** Among the noises that are prohibited are: “1) *Radios, phonographs, etc.* The playing of any radio, phonograph or musical instrument with such volume, particularly between the hours of 11:00 p.m. and 7:00 a.m., as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, hospital, dwelling, hotel or other such building; and 2) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.”

Specific regulations pertaining to “Sound Amplifiers” declare that “It shall be unlawful to maintain or operate any loudspeaker or amplifier connected with any radio, phonograph, microphone or other device by which sounds are magnified and made heard over any public street or public place in the City without having first secured a license therefor. The fee for licenses to be granted under this Division shall be as follows: \$1.00 for each hour so used, or \$25.00 for an annual license.” Additional restrictions include: “1) No licensee shall use or operate or employ any such device within the City limits on Sunday or after the hours of 8:00 p.m. prevailing time of any day or before the hour of 9:00 a.m. prevailing time of any day; no licensee shall use, operate or employ any such device within a radius of two blocks from any hospital or within the radius of two blocks from any church while funeral services are being held there; and 2) This Section shall not apply to radios in homes or in private vehicles when the same are operated in such manner as not to be audible at a distance of 50 feet from such vehicle, nor to noise devices, bands or other musical devices used in any public parade or procession which is operating under a permit in accordance with the ordinances of the City.”

- **City of Peoria:** Among the noises that are prohibited are: “No person shall allow or cause to be used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, compact disc player, DVD player or other machines or devices for the producing or reproducing of sound in such a manner as to unreasonably disturb or to substantially interfere with the peace, quiet, comfort and repose of persons of ordinary sensibilities occupying, owning or controlling nearby properties or persons making use of public properties for their intended purposes, particularly between the hours of 11:00 p.m. and 7:00 a.m. in the Central Business District (B1) or Large Scale Commercial District (C2); however, in C2 Districts musical events will be allowed until 11:00 p.m. on Friday and Saturday nights during daylight savings time hours only, and all music sources must be no closer than 150 feet to any residential structure or as defined in the applicable special use ordinance as defined in Appendix A (Unified Development Code) of the Code of the City of Peoria and between 10:00 p.m. and 7:00 a.m. in the rest of the city.”

Additionally, 1) “No person shall make or cause, permit or allow to be made any noise of any kind, by means of any radio, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound, for the purpose of commercial advertising or attracting the attention of the public to any building or structure; and 2) Any person or persons engaged in the production or reproduction of sound for the purpose of attracting attention to an event or events licensed, permitted or otherwise sanctioned by the city or other entity connected to the city, shall be exempt from the prohibition contained in paragraph (a) above, provided that said person or persons comply with the terms of the permit.”

- **Village of Peoria Heights:** “That no person shall allow or cause to be used or operated any radio, musical instrument, sound amplifier or other device or machine for the producing or reproducing of sound in such a 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 person who is in the room, vehicle or chamber in which such machine or device is operated and who is a voluntary listener thereto. The operation of any such machine or device between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M. in such a manner as to be plainly audible at a distance of fifty feet (50') from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.”
- **City of Rockford:** There are no regulations specific to outdoor venues. The closest applicable language is: “(c) It shall be unlawful to play music outside at any time using an intercom system on any property abutting or across the street from property zoned and used for residential purposes, if such music is audible more than ten feet from the property from which the music is operating and it shall be unlawful to play music outside using an

intercom system between the hours of 11:00 p.m. and 7:00 a.m. on any property which is abutting or across the street from property zoned and used for residential purposes.”

- **Village of Tinley Park:** There are no regulations specific to outdoor venues, which was confirmed by Tinley Park staff. The closest applicable language is in Section 98.02 (M), which lists several conditions that are deemed nuisances as follows: “To conduct any building operations (construction, repair, reconstruction, or maintenance) or property maintenance work (including, but not limited to landscaping and landscaping maintenance work) which involves the operation of any steam shovels, pneumatic hammers, steam electric hoists, hammers, tractors, power lawnmowers, or other apparatus, the use of which is attended with loud or unusual noise, between the hours of 10:00 p.m. and 7:00 a.m. at any location within the village in relation to which the majority of buildings, within a radius of 300 feet, are used exclusively for residential purposes, or between the hours of 10:00 p.m. and 6:00 a.m. at any location within the village in relation to which the majority of buildings, within a radius of 300 feet, are used for other than residential purposes. The provisions of this subsection shall not be applicable to emergency situations where the buildings operations or property maintenance work are being undertaken in response to a situation that poses an immediate threat to the health, safety and welfare of the surrounding residents.”

Fiscal Impact: N/A

Action Requested: This information is provided to identify examples of other municipal noise regulations. Staff has been unable to locate much information that is specific to outdoor event centers. The majority of the regulations summarized above are similar in their general prohibition of any loud or unusual noise after set hours, as is the case with Washington’s standards. Staff encourages further discussion on this at the March 10 Committee of the Whole meeting for use in a possible future code text amendment.