

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 93-14

AN ORDINANCE

amending Chapter 16 of the City Code to repeal the requirement for registration of sound amplifying equipment for noncommercial use; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 16 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 16-283. Reserved ~~Noncommercial use—Registration statement required.~~

~~Before any person shall use, or cause to be used, sound amplifying equipment, a sound truck or other conveyance with its sound amplifying equipment in operation for noncommercial purposes on any street in the city, or in the air above the city, and before any person shall use, or cause to be used, any sound amplifying equipment in any public park or public playground in the city, he shall file a registration statement with the chief of police or other member of the police department authorized by the chief to accept such registration.~~

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

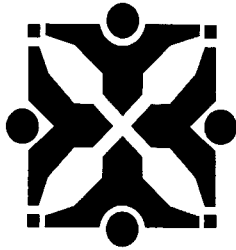
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Police Department

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Apr 7, 2014

Re: Proposed repeal of ordinance requiring sound registration statements

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the repeal of code Section 16-283 Noncommercial use--Registration statement required.

DISCUSSION:

This ordinance would repeal the requirement for registration of sound amplifying equipment for noncommercial use. There are currently other city processes in place that notify the appropriate city departments of events that include sound amplification.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

SUGGESTED COUNCIL ACTIONS:

Staff recommends acceptance and passage of ordinance.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed		Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



COLUMBIA POLICE DEPARTMENT

Informational Memo

TO: KEN BURTON, CHIEF
FROM: KRISTA SHOUSE-JONES, LIEUTENANT
REF: SOUND AMPLIFICATION REGISTRATION ORDINANCE
DATE: 02-20-14

Please consider making a recommendation to the City Council to either change or repeal ordinance 16-283 requiring registration of sound amplifying equipment. The ordinance reads as follows:

"Section 16-283 Noncommercial use--Registration statement required.

Before any person shall use, or cause to be used, sound amplifying equipment, a sound truck or other conveyance with its sound amplifying equipment in operation for noncommercial purposes on any street in the city, or in the air above the city, and before any person shall use, or cause to be used, any sound amplifying equipment in any public park or public playground in the city, he shall file a registration statement with the chief of police or other member of the police department authorized by the chief to accept such registration."

As best I can tell, the ordinance was passed in 1964 and does not appear to be useful in its current form. The vast majority of these registration forms we currently receive are for events being held in city parks. Most of these are for relatively small, private gatherings such as wedding receptions. The applicants are usually made aware of the requirement while completing the special use permit process for Parks and Rec, so that department is already aware of the events. We also receive a few of these forms related to larger events, such as Roots N Blues. Since larger events held on public property go through the City Event Committee process, city departments are already aware of these events also.

Not only does the sound amplification registration process appear to be extraneous and unnecessary, but it can also be confusing to the registrants. Many registrants believe that by registering their sound amplification equipment, they are exempt from the peace disturbance and noise ordinances (although the form clearly states approval of the form does NOT permit violation of these ordinances).

Since there are already processes in place to review and approve events through the Parks and Rec Department and the City Event Committee, the requirement for registration of sound amplifying equipment no longer appears to be necessary to make the Police Department or other City departments aware of these events. I believe additional questions could be added to the Parks and Rec and Special Event Applications to gather the information related to sound amplification for an event if such information is deemed necessary. In addition, if they agree to do so, I think it would be helpful for Parks and Rec to provide applicants with information about the applicable peace disturbance and noise ordinances at the time a Parks Special Use Permit is approved.

ksj/1306

Chapter 16 OFFENSES AND MISCELLANEOUS PROVISIONS*

Section 16-283 Noncommercial use--Registration statement required.

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(Code 1964, § 7.365)