



Shelton City Council
Study Session Agenda
November 23, 2021 – 6:00 p.m.
Virtual Platform

A. Call to Order

B. Roll Call

C. Study Agenda

1. Noise Ordinance – Presented by City Manager Jeff Niten

D. New Items for Discussion

E. Adjourn

The City of Shelton is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please call (360) 432-5103 at least 48 hours in advance of the meeting.



2021-2022 Looking Ahead

(Items and dates are subject to change)

<p>Tues. 12/7 6:00 p.m.</p>	<p>Regular Meeting</p>	<p>Misc. Item</p> <ul style="list-style-type: none"> • Swear-in new Councilmember <p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes <p>Business Agenda</p> <ul style="list-style-type: none"> • Resolution No. 1219-1121 Approving Mason Conservation District's Proposal for NPDES Education & Outreach Activities • Public Hearing Ordinance No. 1980-1021 Amending SMC Illicit Stormwater Discharge • Resolution No. 1220-1121 Contract with Aspect Consulting for C Street Landfill Environmental Cleanup Construction Planning • Resolution No. 1214-1021 Park Street Overlay Project Final Acceptance • Memorandum of Understanding for William G. Reed Library Renovation <p>Action Agenda</p> <ul style="list-style-type: none"> • Resolution No. 1213-1021 Water Meter Boxes and Lids Purchase • Ordinance No. 1981-1021 2021 Budget Supplemental #2 • Resolution No. 1221-1121 EM&R Vehicle Purchase <p>Administration Report</p> <ul style="list-style-type: none"> • 	<p>Packet Items Due: 11/24 – 5:00 p.m.</p>
<p>Tues. 12/14 6:00 p.m.</p>	<p>Study Session</p>	<p>Study Agenda</p> <ul style="list-style-type: none"> • Logo Discussion 	<p>Packet Items Due: Fri. 12/10 @ noon</p>
<p>Tues. 12/21 5:45 p.m.</p>	<p>SMPD Meeting</p>	<p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Meeting Minutes <p>Business Agenda</p> <ul style="list-style-type: none"> • <p>Action Agenda</p> <ul style="list-style-type: none"> • <p>Administration Report</p> <ul style="list-style-type: none"> • 	<p>Packet Items Due: 12/10 – 5:00 p.m.</p>
<p>Tues. 12/21 6:00 p.m.</p>	<p>Regular Meeting</p>	<p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes <p>Business Agenda</p> <ul style="list-style-type: none"> • <p>Action Agenda</p> <ul style="list-style-type: none"> • <p>Administration Report</p>	<p>Packet Items Due: 12/10 – 5:00 p.m.</p>

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Tues. 1/4 6:00 p.m.	Regular Meeting	<p>Misc. Items</p> <ul style="list-style-type: none"> • Swear-in new Councilmembers • Select Mayor & Deputy Mayor <p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes • October Financial Status Report <p>Business Agenda</p> <ul style="list-style-type: none"> • Local Road Safety Plan <p>Action Agenda</p> <ul style="list-style-type: none"> • Resolution No. 1219-1121 Approving Mason Conservation District's Proposal for NPDES Education & Outreach Activities • Ordinance No. 1980-1021 Amending SMC Illicit Stormwater Discharge • Resolution No. 1220-1121 Contract with Aspect Consulting for C Street Landfill Environmental Cleanup Construction Planning • Resolution No. 1214-1021 Park Street Overlay Project Final Acceptance • Council Committee Assignments • Memorandum of Understanding for William G. Reed Library Renovation <p>Administration Report</p> <p>•</p>	Packet Items Due: 12/24 – 5:00 p.m.
Tues. 1/11 6:00 p.m.	Study Session	<p>Study Agenda</p> <ul style="list-style-type: none"> • Neighborhood Residential Zones 	Packet Items Due: 1/7 @ noon
Tues. 1/18 6:00 p.m.	Regular Meeting	<p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes • November Financial Status Report <p>Business Agenda</p> <ul style="list-style-type: none"> • Resolution No. 1186-1220 Surplus Computer Equipment <p>Action Agenda</p> <ul style="list-style-type: none"> • Local Road Safety Plan <p>Administration Report</p> <p>•</p>	Packet Items Due: 1/7 – 5:00 p.m.
Tues. 1/25 6:00 p.m.	Study Session	<p>Study Agenda</p>	Packet Items Due: 1/21 @ noon
Tues. 2/1 6:00 p.m.	Regular Meeting	<p>Consent Agenda</p> <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes <p>Business Agenda</p> <ul style="list-style-type: none"> • Public Hearing Ordinance No. 1968-0321 Water Comp Plan Adoption <p>Action Agenda</p> <ul style="list-style-type: none"> • Resolution No. 1186-1220 Surplus Computer Equipment <p>Administration Report</p> <p>•</p>	Packet Items Due: 1/21 – 5:00 p.m.
Tues. 2/8 6:00 p.m.	Study Session	<p>Study Agenda</p>	Packet Items Due: 2/4 @ noon

Tues. 2/15 6:00 p.m.	Regular Meeting	Consent Agenda <ul style="list-style-type: none"> • Vouchers/Payroll Warrants/Meeting Minutes • December Financial Status Report Business Agenda <ul style="list-style-type: none"> • Action Agenda <ul style="list-style-type: none"> • Ordinance No. 1968-0321 Water Comp Plan Adoption Administration Report <ul style="list-style-type: none"> • 	Packet Items Due: 2/4 – 5:00 p.m.
Tues. 2/15 (to follow regular meeting)	Special Meeting	Executive Session <ul style="list-style-type: none"> • Performance of a Public Employee 	N/A

Other – TBD

- UGA/Annexation Policy (Water/Sewer Extensions)
- More Standing Committees by the Council
- Surplus Property
- December 7, 2021 – C Street Update
- Downtown Street Trees
- Transportation Benefit District (TBD) Public Hearing by Council per SMC 12.40
- Resolution No. 1215-1021 2021 Chip Seal Final Acceptance
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ORDINANCE NO

AN ORDINANCE OF THE CITY OF SHELTON, WASHINGTON, AMENDING CHAPTER 9.18 OF THE SHELTON MUNICIPAL CODE RELATING TO NOISE REGULATIONS

WHEREAS, it is essential to protect Shelton residents from the harmful effects of noise by adopting clear, common sense regulations prohibiting unreasonable public disturbance noises; and

WHEREAS, the Shelton Municipal Code noise regulations were written in 2006 and are in need of streamlining and updating to comply with subsequent developments in First Amendment law.

NOW, THEREFORE, the City Council of the City of Shelton hereby ordains as follows:

Section 1. Chapter 9.18 of the Shelton Municipal Code is amended to read as follows:

**Chapter 9.18
NOISE REGULATIONS**

Sections:

9.18.010 Public disturbance noises prohibited.

~~**9.18.020 Exclusion.**~~

~~**9.18.0320 Penalty.**~~

9.18.010 Public disturbance noises prohibited.

A. General Prohibition. It is unlawful for any person to cause, or for any person in possession or control of property to allow to originate from the property, sound that is a public disturbance noise.

B. Public Disturbances. The following sounds are public disturbance noises in violation of this chapter when the noise is received in residential districts between the hours of 10 p.m. and 7 a.m. and the noise is plainly audible across a real property line or 50 feet from the source, whichever is less. For purposes of this Code, "residential district" shall include single family neighborhoods as well as zoning districts and land uses that are predominantly residential.

1. The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law.

~~2. The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace and comfort of owners or possessors of real property.~~

~~3. Yelling, shouting, whistling or singing on or near public streets, particularly between the hours of ten p.m. and eight a.m. or at any time and place as to unreasonably disturb or interfere with the peace and comfort of owners or possessors of real property.~~

~~4.3. The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment or condominium, which unreasonably disturbs or interferes with the peace and comfort of owners or possessors of real property, such as sounds from human voices, musical instruments, audio sound systems including those installed in motor vehicles, band sessions or social gatherings.~~

~~5. Sound from motor vehicle audio sound systems, such as tape players, radios and compact disc players, operated at a volume so as to be audible greater than fifty feet from the vehicle itself.~~

~~6. Sound from audio equipment, such as loud speakers, amplification equipment, tape players, radios and compact disc players, operated at a volume so as to be audible greater than fifty feet from the source and not operated upon the property of the operator or with the knowledge, permission or consent of the owner or legal occupant of the property, and if operated on the property of the operator or with the knowledge, permission or consent of the owner or legal occupant of the property, then so as to be audible greater than fifty feet from the boundary of the property. For the purposes hereof, any sound, music or other noise emanating from fixed or portable audio equipment of or in a business shall be presumed to be with the knowledge, permission or consent of the owner or legal occupant of the property, which presumption may be rebutted by reasonable evidence to the contrary.~~

~~7.4. The repetitive squealing, screeching or other such sounds from motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners or because of such other reason; provided, that sounds which result from actions which are necessary to avoid danger shall be exempt from this section.~~

~~85.~~ Sounds originating from construction sites, including but not limited to sounds from construction equipment, power tools and hammering, except in cases of emergency between the hours of ten p.m. and seven a.m. on weekdays and ten p.m. and nine a.m. on weekends.

~~96.~~ Sounds originating from residential property relating to temporary projects for the maintenance or repair of homes, non-residential premises, grounds and appurtenances, including but not limited to sounds from lawnmowers, leaf-blowers, powered hand tools, snow removal equipment and composters between the hours of ten p.m. and seven a.m. on weekdays and ten p.m. and nine a.m. on weekends.

7. Frequent, repetitive or continuous noise made by any animal that is within the possession or control of any person.

~~9.18.020 Exclusion.~~

~~This chapter shall not apply to community events such as parades or regularly scheduled events at parks, such as public address systems for sports games or park concerts between the hours of nine a.m. and eleven p.m. This chapter shall not apply to fireworks lawfully discharged within the city or to any public project on a public facility or public road within the city of Shelton. (Ord. 1681-0806 § 1 (part), 2006)~~

~~9.18.0230 Penalty.~~

Any person who violates the provisions of this chapter shall be guilty of a misdemeanor, the maximum penalty for which shall be ninety days in jail or a fine of one thousand dollars or both such fine and imprisonment.

Section 2. This Ordinance shall take effect five days after passage and publication as required by law.

Passed this _____ day of _____, 2021, at the regular meeting of the Shelton City Council.

Mayor Kevin Dorcy

AUTHENTICATED:

Donna Nault, City Clerk