

INTRODUCED: March 25, 2024

AN ORDINANCE No. 2024-094

To amend City Code § 11-36, concerning exemptions to sound control, for the purpose of modifying the hours during which the City's refuse collection and sanitation services shall be exempted from the requirements of the City's sound control provisions.

Patrons – Ms. Jordan and Ms. Lynch

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 8 2024 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 11-36 of the Code of the City of Richmond (2020) be and hereby is **amended** as follows:

Sec. 11-36. Exemptions from article.

No provision of this article shall apply to:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency;
- (2) The emission of sound in the performance of emergency work necessary to immediately prevent or alleviate physical trauma or property damage;

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

- (3) The emission of sound by an emergency vehicle, as defined by Code of Virginia, § 46.2-920(C), for the purpose of alerting persons to the presence of the emergency vehicle;
- (4) Activities authorized by a permit issued pursuant to Section 27-417 for marathons, public assemblies, demonstrations, and parades;
- (5) The movement of aircraft, trains, or motor carriers which is conducted in accordance with or pursuant to applicable federal laws and regulations;
- (6) Performances or practices taking place on the grounds of an elementary, middle, or high school, college, or university of bands, orchestras, ensembles and similar musical groups, athletic contests, athletic practices, and other school-sanctioned activities;
- (7) Bells and carillons;
- (8) Activities related to the construction, repair, maintenance, remodeling, demolition, grading, or other improvements of or to real property and any structures thereon between the hours of 7:00 a.m. and 9:00 p.m. and during other hours when the Chief Administrative Officer or the designee thereof has expressly authorized the relevant activity in writing for reasons related to the health or safety of persons engaged in the activity or for reasons related to federal or state funding requirements;
- (9) The operation of domestic power tools such as power lawn mowers, chain saws, and weed eaters, used in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn, or timbering activities, provided the operation of such equipment is limited between the hours of 7:00 a.m. and 9:00 p.m. and such equipment is operated with a standard muffler or sound dissipating devices;
- (10) Refuse collection and sanitation services between the hours of [~~5:00~~] 7:00 a.m. and 11:00 p.m.;

- (11) Sound resulting from lawfully permitted fireworks displays; and
- (12) Activities on the grounds of areas operated or regulated by the City's Department of Parks, Recreation and Community Facilities.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff Council Ordinance/Resolution Request

TO Laura Drewry, Richmond City Attorney

THROUGH LaTasha S. Holmes, Council Chief of Staff

FROM Joyce L. Davis, Council Policy Analyst
Office of the Council Chief of Staff

COPY Katherine Jordan, 2nd District Council Member
Tabrica Rentz, Deputy City Attorney
Adam Poser, Deputy Council Chief of Staff
Sven Philipsen, 2nd District Liaison

DATE March 15, 2024

PAGE/s 2

TITLE: Amend Ord. No. 2022-219 to change the refuse collection time from 5 a.m. to 7 a.m.

This is a request for the drafting of an **Ordinance** ☒ **Resolution** ☐

REQUESTING COUNCILMEMBER/PATRON

Councilmember Katherine Jordan

SUGGESTED STANDING COMMITTEE

Governmental Operations

ORDINANCE/RESOLUTION SUMMARY

Amend Ord. No. 2022-219 to make changes to Richmond City Code §11-36 (10) addressing refuse collection and sanitation hours for trash pickup from 5 a.m. to 7 a.m., which will change the refuse collection and sanitation services hours to "between the hours of 7 a.m. to 11 p.m.".

BACKGROUND

The patron is requesting to amend Ord. No. 2022-219 (adopted Nov. 14, 2022), which governs noise provisions. These changes will address noise issues

that residents have been experiencing with trash collection and noise from dumpster handling during the early morning hours. This request is to amend Richmond City Code §11-36 (10) relative to noise issues resulting from refuse collection and sanitation services with changes to the current hours “between the hours of 5:00 a.m. and 11:00 p.m. to a beginning time of 7 a.m. for refuse collection.

The requested changes are to Richmond City Code §11-36(10) are as follows:

Strike ~~5 a.m.~~ and insert 7:00 a.m. as follows:

Refuse collection and sanitation services between the hours of ~~5:00 a.m.~~ 7:00 a.m. and 11:00 p.m.

The requested date of introduction is March 25, 2024.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes ☐ No ☒

Budget Amendment Required Yes ☐ No ☒

Estimated Cost or Revenue Impact

Attachment/s Yes ☒ No ☐

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs