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Date: September 30, 2014 at 10:36:28 AM PDT
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Subject: Agenda Item # 10
Reply-To: Bob Stempel <bstempel@sbcglobal.net>

After hearing from neighbors and completing research, I would like to share with you the neighbors' position on changes to noise policy in Fairfax.

First, we agree with Larry's suggestion at the August town meeting that there is no logic to having a "Multiple Dwelling" zone in the noise ordinance on one side of a street, especially if there are only single family homes there. Zone B should have the same protections as Zone A (Residential).

Second, we support the sixty petitioners who asked that the "Correction for Quality of Sound" be enforced, as it evinces the growing sensitivity to noise in our town.

Third, we feel that, following the example of noise ordinances in other communities in Marin, Fairfax should prohibit outdoor amplified music and speech at all hours.

San Anselmo has an outright ban on amplifying equipment for commercial purposes as does Sausalito. Ross prohibits the operation of musical devices, including amplification, that reasonably disturb neighbors.

Mill Valley also prohibits outdoor amplified music. Tiburon requires a permit for special occasions for nonresidential use of musical instruments including amplification of music. Other wedding and party venues in Marin County function successfully without outdoor amplification. The Mill Valley Outdoor Art Club and The Sausalito Women's Club, both assets to their respective communities with historical significance that predates Deer Park Villa, have no outdoor amplified music. In fact no venue in Marin has the freedom to make so much noise for so many hours as Deer Park Villa.

From our personal experience, we also feel that having a noise policy that requires neighbors' peace to be disturbed first before anything is done does not recognize the harmful health effects of excessively loud noise. This policy punishes the offended party rather than the offender under current protocol specific to complaints concerning DPV. A policy reliant on dB readings assumes police officers are available for decibel readings and have no better use of their time. Furthermore, frequent blasts of loud amplified speech, which are invasive, do not register as violations.

Banning amplified music and speech allows for eliminating many of the noise issues we hope to solve without the above mentioned burdensome enforcement procedures.

Many venues throughout Marin function successfully with these or similar limits. Deer Park Villa already has many indoor events apparently without detriment to the business nor the enjoyment of its guests.

We hope you take our position into consideration when addressing Agenda Item #10 at October 1 council meeting.

Bob Stempel

SUPPLEMENT TO
AGENDA ITEM # 10