

DEEP ELLUM FOUNDATION

Deep Ellum Noise Ordinance

Aug. 15, 2022 | City of Dallas Quality of Life Committee
Stephanie Keller Hudiburg, Executive Director of the Deep Ellum Foundation

Background

A change in noise enforcement practice precipitates increased citations and neighborhood concern:

- In April of 2021, the Department of Code Compliance Services began to serve as the primary entity to oversee enforcement of local noise ordinances, relieving the Dallas Police Department.
- The Department of Code Compliance Services shifted focus to the use of Chapter 30 in enforcement, removing the requirement for decibel readings and, instead, relying more heavily upon disruption to “ordinary sensibilities” as the gauge for issuing warnings and citations.



Background

Deep Ellum has served as Dallas' entertainment and cultural center for more than 100 years and is the region's premier entertainment district today.

- The neighborhood continues to have a highly dynamic music scene, with live music venues throughout the district. As office buildings are opening, even more residential buildings have opened and are in construction. People become Deep Ellum residents because of the walkable access to great food, drinks, events and, of course, live music.



Process Overview

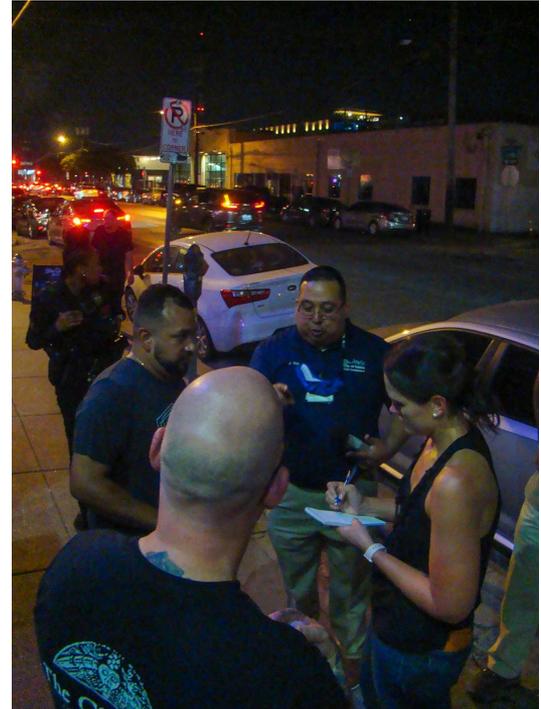
The Deep Ellum Noise Task Force worked for more than 6 months to identify recommendations to best serve the district's range of stakeholders

- In the summer of 2021, Councilmember Moreno formed the **Deep Ellum Noise Task Force**, which sought to find solutions that allow businesses to thrive while maintaining quality of life for their neighbors and nearby residents who have been drawn to the Deep Ellum District to enjoy its rich amenities..



Process Overview Continued

- Multiple **district walk-throughs** were conducted with the Department of Code Compliance Services to take decibel readings during varying times of night, days of week and seasons from June to September.
- Department of Code Compliance Services shared **data on complaints** received and executed by city staff.



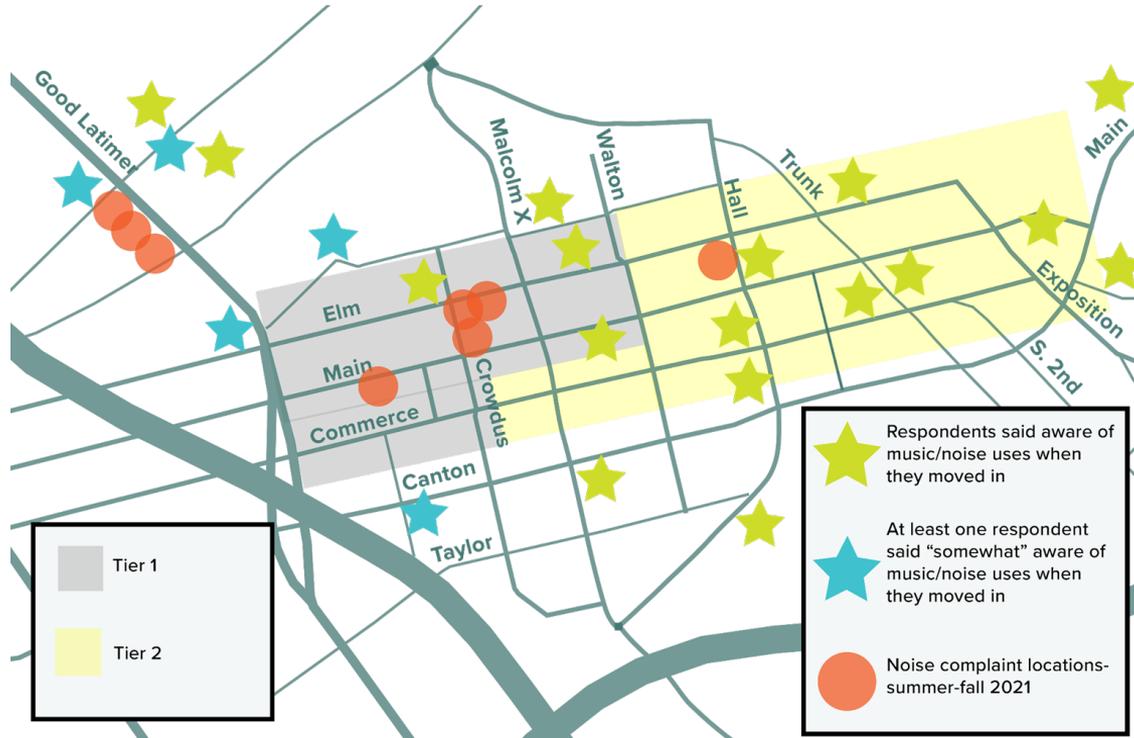
Process Overview Continued

Engagement and input gathered across stakeholder types and through multiple means to inform recommendations

- Two online **surveys** between August and September 2021: one for music venue operators, one for residents and patrons.
- In-person and virtual **community meetings** in June, July, August and September 2021.
- Task force members held individual **resident and business interviews**.
- The **Deep Ellum Noise Task Force met as a full body** four times August through December.
- Released the [Deep Ellum Noise Task Force Report](#) January 2022.



Survey Responses Snapshot



Key Findings

- The Deep Ellum **baseline level of noise** is higher than currently allowed by the city-wide Dallas code.
- There is a **strong resident awareness** of noisy neighboring uses.
- Noise regulation enforcement has a **significant business impact**.
- There have been a **small number of noise complaints** in Deep Ellum.
- There is a **high proportion of Code Compliance visits** to district businesses.
- Survey respondents said **neighborhood standards for decibel level** was the most important change of policy the city could undertake.



Recommendations



- Create new tiers of allowable noise within the Deep Ellum Cultural District, distinct from the City of Dallas levels



Distinct Decibel Limits for Deep Ellum

	Tier 1 Level	92 db	Tier 2 Level	78 db
	Start Time	Stop Time	Start Time	Stop Time
Monday	6 p.m.	12 a.m.	6 p.m.	10 p.m.
Tuesday	6 p.m.	12 a.m.	6 p.m.	10 p.m.
Wednesday	6 p.m.	12 a.m.	6 p.m.	10 p.m.
Thursday	6 p.m.	12 a.m.	6 p.m.	10 p.m.
Friday	6 p.m.	2 a.m.	6 p.m.	12 a.m.
Saturday	2 p.m.	2 a.m.	2 p.m.	12 a.m.
Sunday	2 p.m.	12 a.m.	2 p.m.	10 p.m.

Deep Ellum Venues & District Noise Levels by Tier



*Establishments playing music on their rooftop could be limited to 78 db (for both floors)



Recommendations Continued

- Method of taking **decibel readings** must be consistent, be accurate and reflect impact to complainants.
- Limit **speaker use** facing and directly adjacent to the public right-of-way.
- Ensure **resident awareness** via strong communications to incoming residents.

IT MIGHT GET LOUD

HI NEIGHBOR! Welcome to the Deep Ellum Cultural District! We hope you enjoy living in the entertainment capitol of North Texas. In Deep Ellum, you may hear **LOUD MUSIC** from various venues on Elm, Main and Commerce Streets **UNTIL 12AM, 4 days a week and 2AM on weekends.**

In Deep Ellum, we are a community. Residents and venue owners are strongly encouraged to work together in a spirit of cooperation and tolerance to make everyone's experience in Deep Ellum a comfortable and prosperous one. For ongoing issues and any violations, DEF will endeavor to connect you to the owners and work toward resolution.

IF YOU ARE EXPERIENCING CONSISTENT AND EXCESSIVE NOISE DISTURBANCES

- Reach out directly to the business and property owners.
- Contact the Deep Ellum Public Safety Hotline at 214-449-1493 24-hours per day and you'll be directed to Deep Ellum Foundation's security team.
- Call the City of Dallas at 311 to report abuses of the noise ordinance

As a historic center of music, arts, and entertainment for over 100 years, Deep Ellum has distinct rules and focal noise ordinances grant higher volumes than allowed in the rest of the city

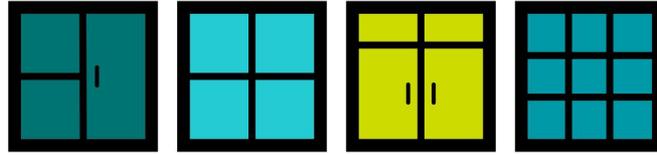
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Recommendations Continued

- Establish a standard of **business cooperation** to address neighboring business disputes.
- Maximize the recent **Music Friendly Community** designation.
- Take practical, low-cost and impactful steps to reinforce Deep Ellum as the premier music-friendly district by creating new music-loading zone signs.





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Q&A

