



# CITY OF HOUSTON

City Council

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To: Mayor John Whitmire

Subject: Chapter 30 Updates

CC: City Attorney Arturo Michel  
Director Tina Paez  
Deputy Director Kathryn Bruning

From: Sallie Alcorn, At-Large 5  
Abbie Kamin, District C  
Carolyn Evans-Shabazz, District D  
Mario Castillo, District H

Date: February 22, 2024

Mayor Whitmire,

In 2022, Council Members Alcorn, Kamin, and Evans-Shabazz were successful in updating chapter 30 to strengthen the ordinance regulating noise and sound. These changes, approved by city council on May 4, 2022, and effective September 6, 2022, include:

- Requiring a new **commercial establishment permit** for nightclubs, bars, and restaurants **within 300 feet of a residence** playing amplified sound that can be heard outdoors after proposed hours, 10:00 p.m. Monday through Thursday and 11:00 p.m. on Fridays and Saturdays. Commercial establishments are restricted from playing any outdoor amplified sound between 2:00 and 8:00 a.m.
- Codifying and **refining the administrative hearing process** for revocation of a permit to focus on repeat violations. As part of the hearing process, the permittee will have the option to propose and implement a sound impact plan – a plan to mitigate loud noise going out into the neighborhood. If the hearing officer accepts the proposed sound impact plan, the business will have 90 days to implement it. If a plan is not offered, accepted, or implemented, it could result in an up-to 180-day suspension or one-year revocation.

After several complaints from neighboring properties, Tribeca (2222 Emancipation Avenue) was the first establishment to be called in for an administrative hearing on March 29, 2023. Following testimony provided by Tribeca ownership, Houston Police Department (HPD) officers, and adjacent residents, the hearing officer instructed Tribeca to implement the approved sound mitigation plan within 90 days, per the code. Such work included installing bass traps and spray foam to absorb vibration as well as purchasing smaller speakers to be positioned in a manner that will dampen the vibration. A compliance hearing was held on July 12, 2023, to confirm the work was performed.

On February 13, 2024, Council Members Alcorn and Evans-Shabazz, HPD, and ARA met with a group of approximately 25 residents who live behind Tribeca as they are still



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impacted by excessive noise and bass stemming from this event space business. The neighbors described how sleepless nights are impacting their performance at work and overall quality of life.

Tribeca is not the only repeat violator of the city's noise ordinance. To further bolster the recent changes and protect Houston neighborhoods, we'd like to explore the below measures:

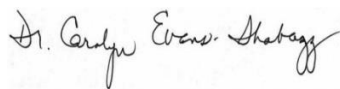

- Add an enforcement mechanism when sound mitigation plan is ineffective.
  - For example, if after the plan is implemented and HPD issues a determined number of citations, the city shall revoke the permit and disallow amplified sound that can be heard outside after the designated hours. Similar to what we have recently discussed related to bars not having a certificate of occupancy, if clubs don't have required sound permits, we need to do more than just issue another ticket – we don't need to shut the business down - but we do need to take away their ability to play late-night music if they don't have a permit. No permit, no late-night music. Period.
- Consider soundproofing requirements to the building code for new bars and nightclubs being built within 300 feet of residences.
- Explore enforcement of the noise ordinance by Harris County Constables (similar to parking and traffic.)
- Reinforce [HPD General Order 300-14](#) – sections 1 “Duty to Respond” and 15 “Police-Related Extra Employment at Alcoholic-Beverage Establishments.”

Thanks for your consideration. Please contact us with any questions. We look forward to your input.

Sallie Alcorn  
At-Large 5

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