



C I T Y O F
RENO
Memorandum

DATE: September 10, 2024

TO: Mayor and City Council

THROUGH: Jackie Bryant, Interim City Manager **Approved Electronically**

FROM: Angela Fuss, Assistant Director of Development Services

DEPT: Development Services

SUBJECT: Follow Up from Public Comments on Downtown Noise Ordinance Discussion

This memorandum has been prepared to provide Council with additional information in response to the public comments heard during the August 28, 2024, City Council meeting on the topic of noise, both citywide and specific to the downtown area. Based on Council feedback, staff will bring an agenda item back to Council in October to review short term, mid-term and long-term options for addressing the noise concerns.

Does the City of Reno currently have a noise ordinance?

The City of Reno currently has a City-wide noise ordinance, but it is specific to noise measured from residentially zoned property. Most, if not all downtown Reno is zoned Mixed-Use, and the noise ordinance would not apply because the zoning is not residential.

Does the Zoning Code have specific standards for Live Entertainment that regulate noise?

The current requirements for Live Entertainment trigger a Conditional Use Permit (Planning Commission approval) for anything after 11 p.m. Outdoor Live Entertainment is restricted to 10 p.m. Through the Conditional Use Permit process, City staff and the Planning Commission can add limitations on decibel levels and hours of operation for Live Entertainment activities.

Does the Glow Plaza project have a limit on noise or hours of activity?

The Glow Plaza project was approved by City Council in 2022. Hours of operation are limited to 11:00 p.m. on Sunday through Thursday and midnight on Friday and Saturday nights. There are no limitations on noise/decibel levels for the Glow Plaza.

Does the Eddy project have a limit on noise or hours of activity?

The Eddy project was approved back in 2016. Due to initial public concerns with noise and outdoor activity, additional requirements were placed on the project that required them to go back to Council on an annual and later 6-month timeline to make sure they were addressing concerns. The Eddy went back to Council for review several times and then in 2019, Council removed the requirement for any further Council review of the project. Code Enforcement has not received any complaints about this bar, so it's possible the public commenter may have been referring to a different bar. The Eddy does have a limit on noise that restricts activities to 65 decibels.

Does the City have any other regulations or restrictions to enforce noise, loud vehicles, loud or unruly crowds, etc.?

The City has several different regulations, that are not part of the Zoning Code, that can be used to address the public's concerns. City staff, including Code Enforcement, Planning, Business License and Reno Police, are working together to discuss the various existing ordinances and options for enforcing them. Examples of existing regulations include the following:

Sec. 5.07.030. - Prohibited activities.

It shall be unlawful for any licensee of an establishment to permit the creation of noises in such establishment, either by reason of boisterous conduct on the part of individuals or by reason of music or entertainment created by mechanical musical instruments or otherwise, or by dancing or other source of vibration which will unreasonably disturb any person or persons of ordinary sensibilities in any adjoining room or rooms, or building or premises or which emanate from and are audible outside the licensed premises.

It shall be unlawful for any licensee to display, present, or offer for purposes of amusement or entertainment, or allow to be displayed, presented, or offered for purposes of amusement or entertainment upon the premises of any licensed establishment, any floor show, act or presentation which is lewd, indecent or obscene.

It shall be unlawful for any licensee, under the provisions of this chapter, to knowingly allow or permit any person under the age of 21 years to remain on the premises. Nothing in this subsection shall apply to establishments where alcoholic beverages are served only in conjunction with regular meals and where dining tables or booths are provided separately from the bar or any store where alcoholic beverages are not sold by the drink for consumption on the premises.

Sec. 5.07.170. - Cabaret licenses.

It shall be unlawful for any person to permit any singing, dancing, floor show or other live entertainment to be conducted or carried on in any establishment in the City without first obtaining a cabaret license. Such a license will be subject to revocation if it appears to the satisfaction of the council that the singing, dancing or entertainment unreasonably disturbs any person in any adjoining room or building or neighborhood.

It shall be unlawful for any person to permit live adult entertainment to be conducted or carried on in any establishment wherein said live adult entertainment involves the exposure of specified anatomical areas, whether or not alcoholic beverages are sold, without first obtaining an adult interactive cabaret license.

Sec. 6.06.290. - Amplified noise emissions from motor vehicles.

It shall be unlawful for any person, while parked or operating a motorized vehicle upon a highway to create or allow amplified sound within the vehicle which is audible at a distance of 25 feet from the vehicle. This section shall not apply to emergency vehicles or to the emission of sound to alert persons to the existence of an emergency or break-in.

Sec. 8.04.010. - Noises to attract attention.

(a) It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city.

(b) Without first obtaining the permission of the city council, it shall be unlawful:

(1) For any person to yell, shout or cry his wares, or cause any person to yell or shout or cry his wares in the public streets, or other places, in the city;

(2) For any person to use, operate or permit to be played, used, or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any public building or structure, provided, however, the city shall not accept, entertain or grant any application for permission by the city council to produce sound in any manner which is broadcast upon public streets for the purpose of commercial advertising or attracting the attention of the public to any public building or structure in the City of Reno or its sphere of influence for a period not to exceed 180 days; or

(3) For any person to announce by shout or yelling or singing on the public streets, or other public places of the city, any event or sale or other affair in the city.

Sec. 8.12.020. - Disturbing the peace.

It is unlawful for any person to commit a breach of the peace. Such breach shall consist of:

a. Fighting or challenging to fight; or

b. Conduct or words calculated to provoke violence or a violation of the law by the person to whom the conduct or words are addressed; or

- c. Making annoying, lewd, malicious or threatening telephone calls; or
- d. Willfully and unreasonably subjecting a person or neighborhood to any noise which is likely to disturb the peace of persons of reasonable and ordinary sensibilities.