

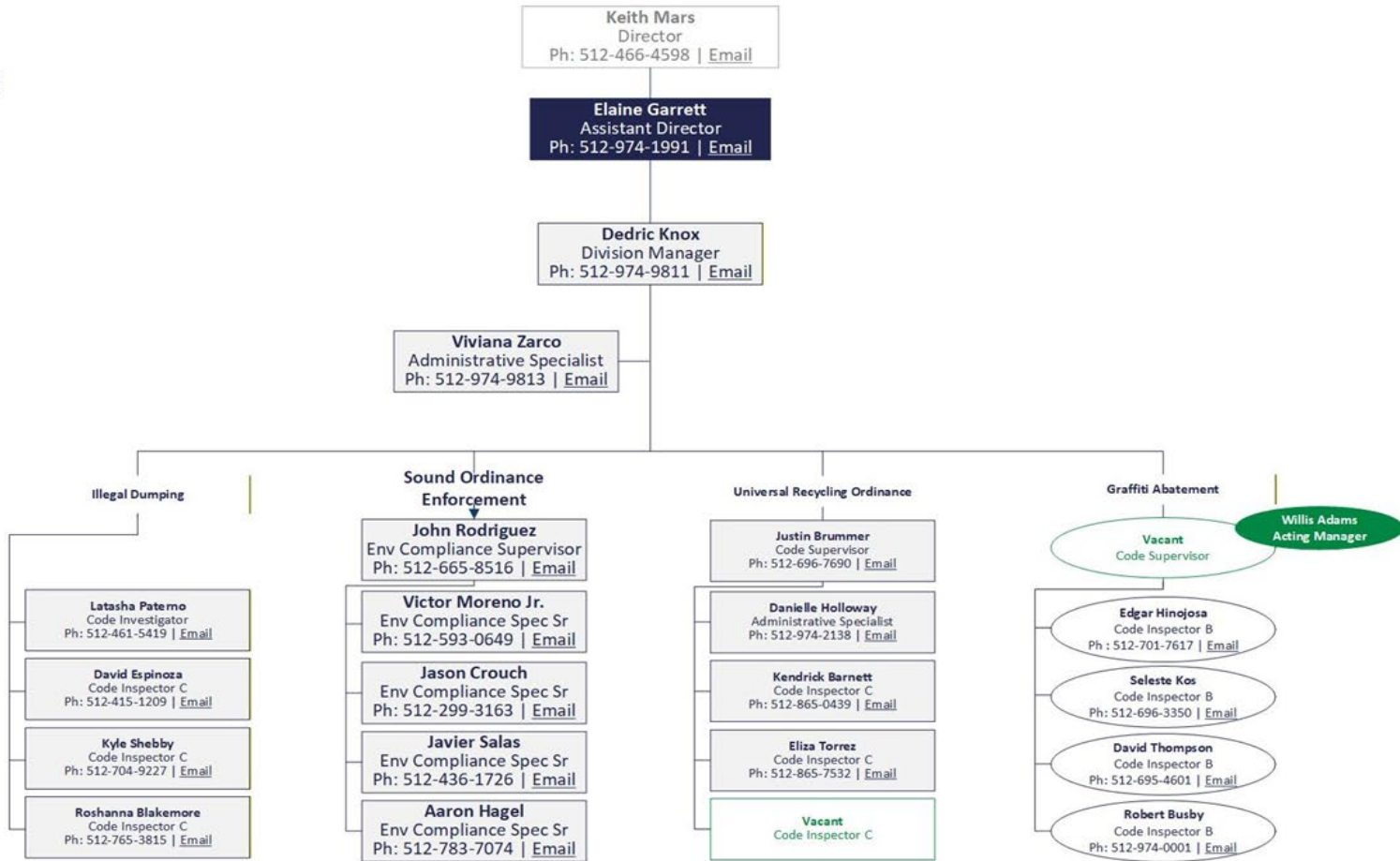


Sound Enforcement by Ordinance

Austin Development Services | February 4, 2026

4.3 | CODE FIELD INSPECTIONS

- ✓ Nuisance Abatement
- ✓ Illegal Dumping
- ✓ Sound Ordinance Enforcement



Version: January 1, 2026



Noise Regulation: Our Response Areas



OMV Permits

Construction
Noise

Mechanical
Noise

City of Austin Code- Title 9: Prohibited Activities



Chapter 9-2: Noise & Amplified Sound-Article 1: General Provisions § 9-2-3-General Restrictions

Use or permit sound equipment at a business that exceeds the decibel limits

§ 9-2-3 (A)(1)

Make noise or play a musical instrument that is audible to an adjacent business or residence between 10:30 p.m. and 7:00 a.m.

§ 9-2-3 (A)(2)

Operate machinery (for separating, gathering, grading, loading, or unloading sand, rock, or gravel) within 600 feet of a residence, church, hospital, hotel, or motel between 7:00 p.m. and 6:00 a.m., except for concrete installation permitted under Section 9-2-21.

§ 9-2-3 (A)(3)

Use or allow the use of a vehicle or device associated with cold-storage activities (refrigeration, freezing, ice production) between 7:00 p.m. and 6:00 a.m., if noise or vibration from the vehicle or its equipment is audible or causes vibration at a residence.

§ 9-2-3 (A)(4)

Operate sound equipment in a vehicle if it is audible or causes vibration 30 feet from the equipment (unless authorized by Section 9-2-22 permit).

§ 9-2-3 (A)(5)

Operate sound equipment in a watercraft if it is audible or causes vibration 100 feet from the equipment

§ 9-2-3 (A)(6)

Affirmative Defense to Violation

Chapter 9-2-Noise & Amplified Sound-Article 1: General Provisions

§ 9-2-3-General Restrictions

(Loading/Servicing Exception)

Noise or vibration occurred while a vehicle or equipment was actively **loaded, unloaded, or serviced** in compliance with all codes.

§ 9-2-3 (B)(1)

(Emergency Refrigeration Exception)

Use lasted **48 hours or less** on or near a licensed food/beverage business.
Necessary to maintain **cold hold or freezing** due to a documented emergency (e.g., equipment or utility failure).

§ 9-2-3 (B)(2)

(Advance Consent Exception)

At least **48 hours prior**, written consent obtained from **each affected dwelling unit within 600 feet**, using a City-approved form.

§ 9-2-3 (B)(3)

Violation of Chapter 9-2 or any rule adopted under 1-2 pursuant to Chapter § 9-2 is a violation of City Code, chargeable as a Class C misdemeanor by a fine upon conviction not to exceed \$500. Proof of a culpable mental state is expressly waived.

§ 9-2-3

Introduction of the Noise Ordinance Restrictions

§ 9-2-4- Restriction on Decibel Level

A person may **not** operate sound equipment **at a business** that:

(1) **Exceeds 85 dB** between **10:00 a.m. and 2:00 a.m.**, measured at the property line of the business; **or**

(2) is **audible at the property line** between **2:00 a.m. and 10:00 a.m.**

Chapter 9-2-Noise & Amplified Sound-

Article 1: General Provisions

§ 9-2-5 (A),(B), and (C)

Restriction on Use of Sound Equipment in a Residential Area

(A) This section applies to property zoned as residential under Section 25-2-32(B)(*Zoning Districts and Map Codes*)

(B) A person may not use sound equipment that produces sound audible beyond the property line of a residence in a residential area between 10:00 p.m. and 10:00 a.m.

(C) A person may not use sound equipment audible beyond the property line of a residence in a residential area that produces sound in excess of 75 decibels.

Introduction of the Noise Ordinance Permitting and Operational Requirements

Division. 1- General Provisions

§ 9-2-11 – Permit Required.

A person may **not** operate sound equipment at a business that:

- (1) **operate sound equipment audible to the public** as prescribed by this article, [Chapter 8-1](#), Article 4 (*Restrictions on Amplified Sound*), and [Section 14-8-34](#) (*Permit Required for the Use of Sound Equipment*); or
- (2) **Deliver, finish, place, or pour concrete** between **7:00 p.m. and 6:00 a.m.** in the **Central Business District (CBD)** at property located within **600 feet** of a residence, church, hospital, hotel, or motel.

Chapter 9-2: Noise & Amplified Sound

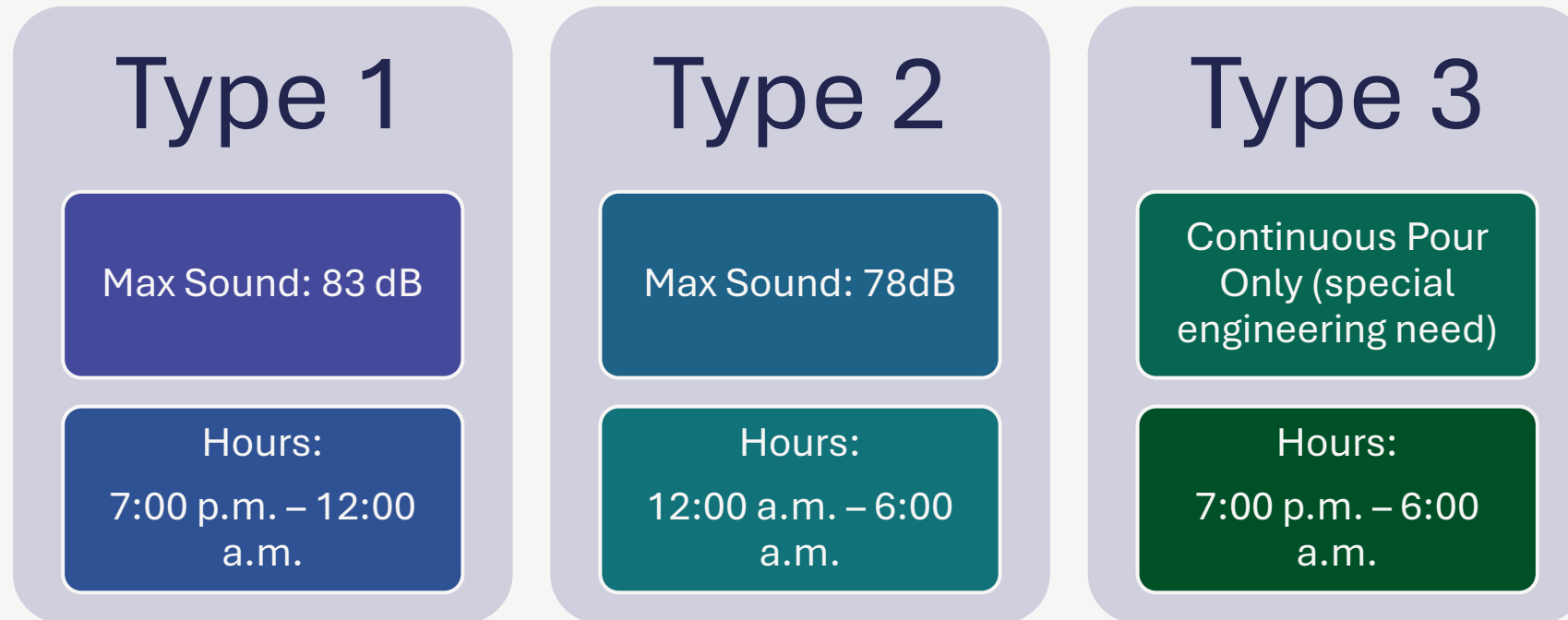
Article 2: Permitting and Operational Requirements

Division. 2- Non-Music Sound Permits



§ 9-2-21 - PERMIT FOR CONCRETE INSTALLATION DURING NON-PEAK HOUR PERIODS.

PERMIT TYPES



Chapter 9-2: Noise & Amplified Sound
Article 2: Permitting and Operational Requirements
Division. 2- Non-Music Sound Permits



**§ 9-2-21 - PERMIT FOR CONCRETE INSTALLATION
DURING NON-PEAK HOUR PERIODS.**

Additional Requirements

Sound & Light Management Plan (noise barriers, lighting shields).

Notification to neighbors and posting on-site.

Permit duration: **max 72 hours; only one permit per project.**

Violations can lead to **suspension or denial** of future permits.

Chapter 9-2: Noise & Amplified Sound
Article 2: Permitting and Operational Requirements
Division. 3- Outdoor Music Permits
Subpart A. – General Provisions



§ 9-2-30 DECIBEL LIMITS FOR OUTDOOR MUSIC.

General Limits

Up to 85 dB between 10:00 a.m. and:

10:30 p.m. (Sun-Wed)

11:00 p.m. (Thu)

12:00 midnight (Fri, Sat,
New Year's Eve)

Special Cases

Warehouse & Sixth Street Districts:

- Up to 85 dB until 2:00 a.m. (venues ≤600 capacity)

Spring Festival Season:

- Up to 85 dB until 2:00 a.m.

Red River Cultural District:

- Sun-Wed: 10:30 p.m.
- Thu: 12:00 midnight
- Fri/Sat/New Year's Eve: 1:00 a.m.

Additional Rules

Restaurant venues: Limited to 70 dB

Commercial Recreation District:
Must follow Section 25-2-583.

All measurements require
approved decibel meter

Chapter 9-2: Noise & Amplified Sound
Article 2: Permitting and Operational Requirements
Subpart B. – Live Music Permits



§ 9-2-39 Outdoor Music Venue Permit.

Permit Duration	<ul style="list-style-type: none">• 1-year Permit for ongoing outdoor music with sound equipment
Requirements	<ul style="list-style-type: none">• Must Comply with:<ul style="list-style-type: none">• Division 1 (General Provisions)• Division 3 (Outdoor Music Permits)
Notice of Application	<ul style="list-style-type: none">• Provided per § 9-2-54
Appeals	<ul style="list-style-type: none">• Decisions to approve or deny may be appealed under § 9-2-56.

Chapter 9-2: Noise & Amplified Sound
Article 2: Permitting and Operational Requirements
Subpart B. – Live Music Permits



§ 9-2-40 Good Neighbor Policy.

Purpose

- Maintain **safety, quiet, and cleanliness** around outdoor music venues.

Requirements

- Compliance with the **Good Neighbor Policy** is a **condition of the permit.**
 - Policy adopted by rule under **Chapter 1-2**

Chapter 9-2: Noise & Amplified Sound
Article 2: Permitting and Operational Requirements
Subpart B. – Live Music Permits

§ 9-2-41 Sound Impact Plan.

Plan Must Include:

Sound-mitigating design features

Decibel limits & operating hours

On-site decibel meters

Responsible contact info

Permit display location



Key Notes

Official may **modify plan** with notice.

Compliance = **presumed not a nuisance** (except during modification period)

Chapter 9-2: Noise & Amplified Sound

Article 3: Penalties and Enforcement



§ 9-2-61 Offenses.

Making noise or using sound equipment **in violation of this chapter or a sound impact plan** is an offense.

Class C misdemeanor, fine up to \$500.

No culpable mental state required.

Each violation = **separate offense.**

Violations are a **nuisance**; City may seek **injunctive relief.**

**Chapter 9-2: Noise & Amplified Sound
Article 3: Penalties and Enforcement**

§ 9-2-63 Suspension of a Permit.

Permit may be suspended if:

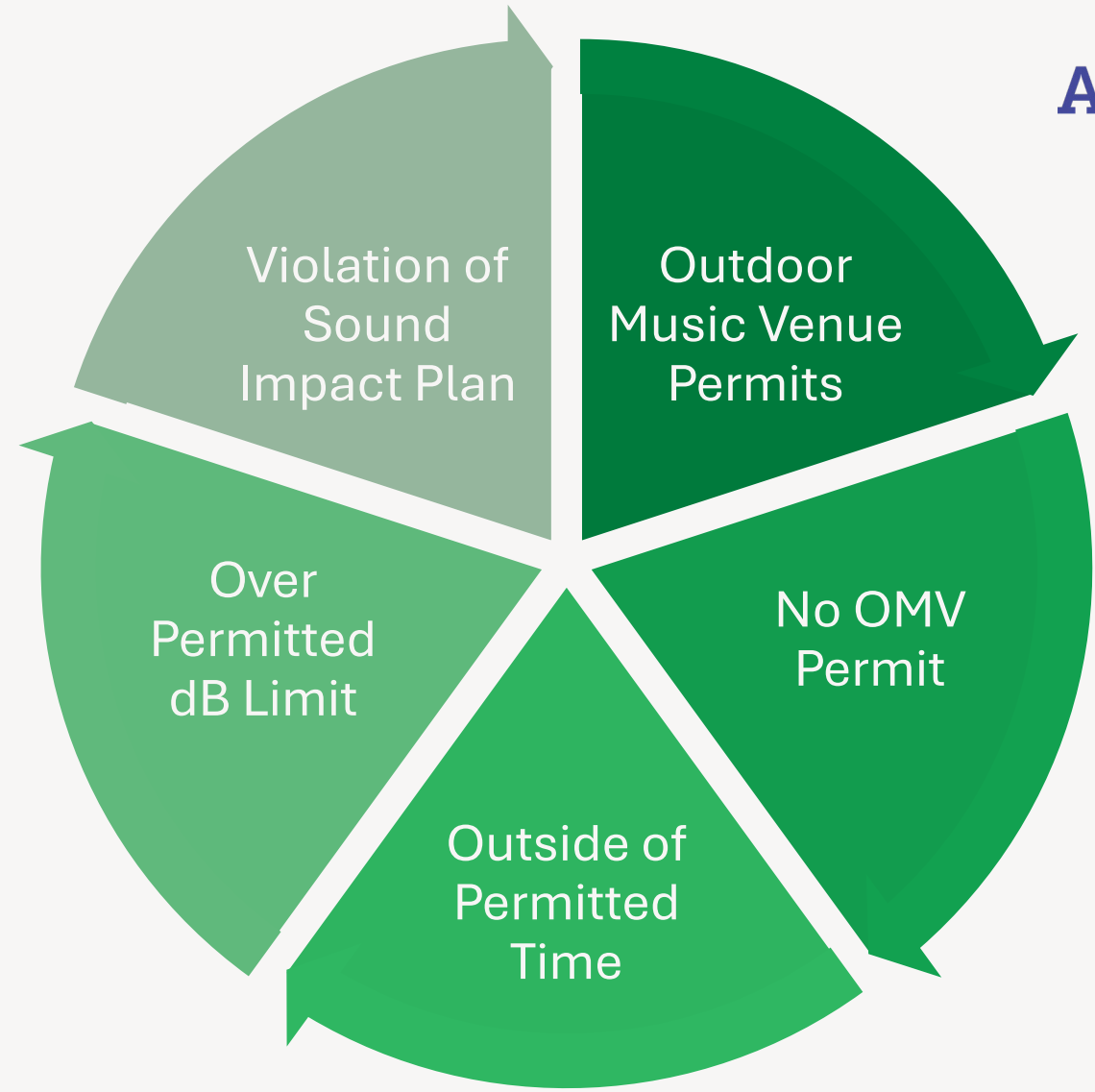
Issued in **error**, or

4+ documented violations of
Sound Impact Plan within **45 days**.



Suspension lasts up to 2 weeks

What violations do we file?



Process for Enforcement

Complaint is received through 3-1-1

An inspection is conducted

- Check for any permits if amplified sound is occurring
- Verify the source
- Take decimal reading from property line record a 15 sec average of the sound meter reading, video information for documentation
- Speak with the venue manager
- Educate , seek voluntary compliance
- File a citation by affidavit

Challenges We Face

After hours noise complaints

Ability to conduct interior inspections

The ordinance is vague

The responsive agency is not clear in the ordinance which confuses the customer



Austin Development Services
Austin Development Services, Sound Enforcement - Inspection Consent Form

This form is used when a City of Austin Sound Enforcement Inspector obtains the voluntary and informed written consent of an individual who has an ownership interest in, a right of possession to, or is in control of a property. This consent allows the inspector to enter the property to obtain sound and decibel level measurements from that location.

Property Information

- Property Address: _____
- Property Owner/Tenant/Authorized Representative Name: _____
- Phone/Email: _____

Authorization

I, the undersigned, hereby grant permission to the City of Austin Sound Enforcement Inspector to enter the above-referenced property for the purpose of measuring sound and decibel levels in order to verify compliance with Austin City Code requirements.

I acknowledge and represent that this consent is voluntary and informed, and that I have the legal authority to provide access to this property. I acknowledge that I may withdraw my consent at any time during the inspection.

Name (Print): _____

Signature: _____

Date: _____

Relationship to Property (e.g., Owner, Tenant, Manager): _____

Inspector Information

Inspector Name: _____

Date and Time of Inspection: _____

QUESTIONS?