

## SUMMARY OF APPROVED & ADOPTED CHANGES TO DENVER’S NOISE ORDINANCE (3/5/2025)

### PREVIOUS

### NEW/FINAL

<ul style="list-style-type: none"> <li>• <b>Waste Stream Activities</b> prohibited between 10pm and 7am.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Waste Stream Activities</b> prohibited between 10pm and 6am.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Festivals</b> held on public property receive an elevated level of 80 dBA with hard stop at 10pm and must meet the special events definition. 4 days total.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase overall noise level to 85 dBA.</li> <li>• Public noise producing events which are properly permitted by applicable city agencies and held on public property automatically receive an elevated level of 85 dBA with hard stop at 10pm.</li> <li>• New allowance for private properties—Public noise producing events held on private property to receive an elevated level of 85 dBA for a total of 8 calendar days within a year and not to exceed 4 consecutive days. Requires a 30-day rest period between events of 2 or more consecutive days. Must be properly permitted, if applicable, by required city agencies.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Construction activities</b> that exceed Table A decibel limits are prohibited between the hours of 9pm and 7am on weekdays and 5pm and 8am on weekends. (DDPHE must take readings for a violation).</li> </ul>	<ul style="list-style-type: none"> <li>• Construction activities that are <i>plainly audible</i> are prohibited between the hours of 9pm and 7am on weekdays and 5pm and 8am on weekends. (Allows department to accept a vetted time stamp video with audible evidence from the complainant’s property for a violation/enforcement action—exactly the same as the current enforcement tool for waste stream activities).</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Pre-existing Source Premises/Mixed Use Areas:</b> Allowable decibel limits for Residential, Commercial, Public and Industrial areas subject to Table A limits.</li> </ul>	<ul style="list-style-type: none"> <li>• Allowable decibel limits for pre-existing Residential, Commercial, Public and Industrial areas are subject to new Table A limits. This increases allowable decibel levels for pre-existing sources by eliminating previous reductions and allowing pre-existing sources to produce the same amount of sound in their operations that they’ve always produced regardless of surrounding development.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Compression engine brakes</b> are not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• The use of compression engine brakes is prohibited.</li> </ul>

<ul style="list-style-type: none"> <li>• <b><u>Variations:</u></b> must be approved through Board of Public Health &amp; Environment.</li> </ul>	<ul style="list-style-type: none"> <li>• No change to the official variance process. This option is still available for anyone who wishes to seek a variance through the Board of Public Health &amp; Environment.</li> <li>• Adds an additional option outside of official variance process for non-conforming, night-time, noise-producing <i>construction activities</i> that may be approved by the Executive Director, provided certain conditions are met.</li> <li>• If the Executive Director denies application for approval, the petitioner may still seek a variance from the Board of Public Health &amp; Environment.</li> </ul>
<ul style="list-style-type: none"> <li>• <b><u>Definition of noise:</u></b> Sound that is unwanted and that causes or tends to cause adverse psychological or physiological effects on human beings.</li> </ul>	<ul style="list-style-type: none"> <li>• Definition of noise: Sound that is unwanted and exceeds the sound pressure levels permitted in this chapter or in rules and adopted by the Board or is otherwise prohibited by this chapter or by rules adopted by the Board.</li> </ul>
<ul style="list-style-type: none"> <li>• <b><u>Aircraft and helicopter noise:</u></b> Not addressed but was in ordinance during previous revisions, pre-2008.</li> </ul>	<ul style="list-style-type: none"> <li>• Adds back into the ordinance aircraft and helicopter noise language. This was always intended to be in the ordinance but there was an oversight in 2008 when the ordinance was last revised and this <b>exemption</b> was accidentally left off. <i>“Any aircraft in flight subject to federal law regarding noise control and any helicopter in the act of landing or taking off at a helipad licensed by the city, so long as the helicopter is not landing or taking off in violation of any conditions or restrictions of the helipad’s license.”</i></li> </ul>