

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. [Abstract]

AN ORDINANCE amending Bellevue City Code (BCC) Chapter 9.18, Noise Control, to expand exemption days and hours for amplified sound; providing for severability; and establishing an effective date.

WHEREAS, in November 2020, the City Council adopted the Bellevue Economic Development Plan (EDP), including a foundational strategy to continue to make Bellevue a great place to live, work, and visit; and

WHEREAS, the EDP identified an opportunity to improve quality of life and cultivate a sense of community through the activation of public spaces, increased walkability, expanded nightlife, and more events with a diversity of cultural offerings, types of interactions, and times of day; and

WHEREAS, Bellevue City Code does not allow for the use of amplified sound equipment audible to neighboring properties after 5:00 p.m. and at any time on Sundays or legal holidays; and

WHEREAS, the purpose of Chapter 9.18 BCC, Noise Control, in part, is to minimize exposure to the harmful physiological and psychological effects of excessive noise, and promote the quality of the environment by establishing maximum environmental noise levels applicable within designated areas or zones of the City; and

WHEREAS, expanding the exemption days and hours for amplified sound while maintaining other standards, including the maximum noise levels applicable in the City, will better support a variety of small events and activations consistent with the EDP; and

WHEREAS, the City Council reviewed proposed amendments to Chapter 9.18 BCC, Noise Control, at a study session on March 28, 2022; and

WHEREAS, the City Council desires to amend Chapter 9.18 BCC, Noise Control, to expand exemption days and hours for amplified sound; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act, Chapter 43.21C RCW (SEPA), and the City's Environmental Procedures Code, Chapter 22.02 BCC; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The title of Section 9.18.020 of the Bellevue City Code is hereby amended to read as follows:

9.18.020 Exemptions and authorizations.

Section 2. Section 9.18.020.D of the Bellevue City Code is hereby amended to read as follows:

D. Sounds created by sound amplification equipment, and not otherwise permitted pursuant to subsections A.13 and A.14 of this section, as now or hereafter amended, may be authorized by the Director of the Development Services Department pursuant to BCC 9.18.045A, as now or hereafter amended.

Section 3. Section 9.18.030.C.4 of the Bellevue City Code is hereby amended to read as follows:

4. Increase by 10 dBA for the operation of sound amplification equipment operated in compliance with a permit issued pursuant to BCC 9.18.045A.

Section 4. Section 9.18.045A.B.1. of the Bellevue City Code is hereby amended to read as follows:

1. The use of sound amplification equipment may only be allowed between the following hours:
 - a. 8:00 a.m. and 8:00 p.m., Sunday through Thursday; and
 - b. 8:00 a.m. and 10:00 p.m., Friday and Saturday.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 6. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2022 and signed in authentication of its passage this _____ day of _____, 2022.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____