



City of Winston-Salem City Council
Council Agenda Item Summary

Title	Information Regarding Proposed Phase 2 Amendments to the City Noise Ordinance (Chapter 46)
City Council Committee	General Government Committee
Meeting Date	May 11, 2026
Staff Lead (Presenter)	Ben Rowe, Assistant City Manager
Department Head	
City Manager/ACM	W. Patrick Pate, City Manager

Agenda Item Summary

Recommended Council Action	Information Item
Suggested Action/ Motion	No Action
Options	
Strategic Focus Area	Livable Community
Strategic Plan Objective	LC3: Ensuring the City is a Community of Choice for Quality of Life
Anticipated Fiscal Impact	No Material Fiscal Impact

Summary of Information

On September 2, 2025, the City Council approved a five-year lease of City park land to provide back-of-the-house support for a 5,000-seat downtown amphitheater. During early discussions between City staff and the ownership group, there was concern that the City’s current noise ordinance was subjective and would create uncertainty for promoters who would produce concerts at the venue. The guiding principle from the discussions was to develop an ordinance that is objective and enforceable.

City staff are aware of noise concerns in other areas of the city and have reviewed the noise ordinances in other North Carolina cities, including Asheville, Charlotte, Concord, Durham, Greensboro, High Point, Raleigh, and Wilmington. Along with establishing enforceable standards for the new amphitheater, staff have considered the following goals while developing proposed amendments to the noise ordinance:

- Standardize hours and sound levels
- Make definitions easier to understand
- Clarify rules for when/how a citation may be issued
- Update prohibitions and exceptions

After reviewing the noise ordinances in other North Carolina cities, staff proposed amending City Code Chapter 46 in two phases as follows:

Phase 1 would establish a noise standard for stadiums, arenas, and outdoor sports and entertainment venues, including amphitheatres. In addition, the amendments would include additional exemptions for certain activities. Finally, the amendments would remove reference to the County noise ordinance and include that language directly in the City Code. These changes were adopted after a second reading on March 23, 2026, and became effective immediately.

Phase 2 would address amplified sound emitted in commercial areas, which would include the Central Business District, by establishing noise standards at different times of the day for different days of the week.

This Council Action presents amendments to the noise ordinance for Phase 2. The proposed changes would add two sections to the ordinance:

- New Section 46-7: This section would replace the previous Section 46-7, which established standards for commercial establishments within an entertainment district. This new section would establish decibel standards for commercial establishments citywide for certain times of the day and days of the week, as follows:
 - (1) Sunday through Thursday:
 - (a) 85 db(A) between 8:00 a.m. and 9:00 p.m.;
 - (b) 60 db(A) between 9:00 p.m. and 8:00 a.m. the following day;
 - (2) Friday and Saturday
 - (a) 85 db(A) between 8:00 a.m. and 11:00 p.m.;
 - (b) 60 db(A) between 11:00 p.m. and 8:00 a.m. the following day

City law enforcement would measure the sound or noise at the property line of the complainant. Establishments found to be non-compliant and uncooperative could be subject to penalties including an eighteen-month probation from producing amplified or live music outdoors.

- Section 46-9: This section provides for enforcement and penalties for violating the City Code, with penalties ranging from a \$100 civil penalty for a first violation to an eighteen-month probation from producing amplified or live music.

This section also authorizes the City Manager to address “chronic noise producers” through a collaborative process involving the commercial establishment that is the source of the noise and the City Manager or designee. The determination of a chronic noise producer considers several factors including: the number and frequency of valid noise complaints; the proximity and physical relationship between the commercial establishment and complaining locations; the severity of sound events, both observed or measured; the times and days of the week of sound events; the offender's history of cooperation and efforts to alleviate the surrounding problem; and the history and context of the location. The process requires the development of a noise mitigation plan. If the

chronic noise producer is deemed “non-cooperative,” the commercial establishment could be assessed enhanced penalties including an eighteen-month probation.

Residents, in particular those living downtown, have expressed frustration over increasing noise along Fourth Street and other locations from “cruisers” driving with loud engines or mufflers or blaring loud, amplified music, as well as crowd noise from commercial establishments. Sections 46-2 and 46-36 already address these concerns.

Under Article X of Chapter 74 of the City Code regarding sidewalk cafés, establishments with sidewalk cafés may operate them any time between the hours of 6:00 a.m. and 1:00 a.m. Sunday through Wednesday, and 6:00 a.m. to 2:00 a.m. on North Carolina state holidays, Thursday, Friday, and Saturday. The ordinance provides for the revocation of a sidewalk café permit for violation of any city, county or state law, ordinance, or regulation, among other reasons. Violation of city ordinances includes the noise ordinance.

The Police Department’s command staff will work with City management on the development of strategies to enforce these ordinances more effectively.

The attached ordinance shows the proposed amendments to Chapter 46 of the City Code with additional language underlined and strike-through for removed language. Phase 1 changes are highlighted in green.

Analysis of Fiscal Impact

Implementation of these ordinance changes will require an investment in sound meters for police officers to use when responding to noise complaints.

Attachments

- Ordinance Amending Chapter 46 Relating to Noise
- Presentation