



City of Winston-Salem City Council  
**Council Agenda Item Summary**

<b>Title</b>	<b>Ordinance Amending Chapter 46 of the City Code Relating to Noise</b>
City Council Committee	General Government Committee
Meeting Date	February 9, 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	Ordinance Approval
Suggested Action/ Motion Options	Move to Approve Ordinance Amending Chapter 46 of the City Code Relating to Noise
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<sup>nd</sup>, 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. The amphitheater will be located between Fifth and Sixth Streets to the south and north and Marshall and Spruce Streets to the east and west.

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. These discussions considered the ordinances in Charlotte and Raleigh, which have downtown amphitheaters. Those ordinances established thresholds for sound amplification and distances for measuring sound and ensuring compliance. 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. Staff 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 propose 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 amphitheaters. 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.

Phase 2 would address noise and sound emitted in commercial districts, the Central Business District, and residential areas 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 1.

The proposed amendments establish a specific standard for stadiums, arenas, and outdoor sports and entertainment venues, including amphitheaters, including a decibel threshold and a period of compliance. These amendments would permit these venues to emit *amplified* sound up to a maximum of 85 dB(A) from 7:00 a.m. to 12:00 a.m., Sunday through Saturday.

Sound measurement for compliance would be made on an A-weighting scale set on slow response using a Class 1 or Class 2 Sound Level Meter of a standard design and quality established by the American National Standards Institute. Measurement would take place at the boundary line of the complainant property owner closest to the source of the sound. Measurements would be taken at a minimum interval of one minute.

A violation of this section would constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00. The person responsible for and in charge of the stadium, arena, or outdoor sports or entertainment facility would be responsible and liable for any violations of this article by any tenant, guest, invitee, or licensee in the establishment or on the premises of such.

The amendments also expand the list of exempted activities to include the following.

- Lawfully permitted fireworks displays

- Permitted parades or military ceremonies
- Events held at city or county recreation and parks facilities
- Railroad operations
- Aircraft operations
- Governmental vehicles carrying out official duties

Motorsports events such as those held at Bowman Gray Stadium would be exempt from the 85-decibel standard for stadiums, arenas, and other outdoor sports and entertainment venues.

Finally, the Phase 1 amendments delete the reference to the County noise ordinance and include that language directly in the City Code. Doing so would enable staff to recommend different standards within the city that could address concerns specific to the communities within Winston-Salem.

The attached ordinance shows the proposed amendments to Chapter 46 of the City Code with additional language underlined and strike-through for removed language.

#### **Attachments**

- Ordinance Amending Chapter 46 Relating to Noise
- Presentation

Committee Action	
For:	Against:
Remarks:	