



June 10, 2020

Arlington County Board  
2100 Clarendon Boulevard, Suite 300  
Arlington, VA 22201

Dear Chair Garvey,

The Arlington Chamber of Commerce opposes the proposed amendment changing how the Noise Control Ordinance is enforced. Arlington County staff have responded to concerns raised by the Chamber and others with reassuring statements, but the risk remains that the proposed text could be used later in a more punitive manner than intended now. As such, the Arlington Chamber of Commerce requests that the County Board remove Item # 17 from its Consent Agenda on Saturday, June 13, and then further that it not adopt the proposed amendment at its Recessed Meeting.

The staff report says, "Enforcement is not meant to criminalize typical issues of nuisance prevalent in urban communities..." However, the proposed text does not define what noise falls into the category of "typical issues of nuisance." Instead, the ordinance establishes "a rebuttable presumption that any owner, tenant, resident, manager, or authorized user of the premises physically present on the property where the violation is occurring is operating or controlling the noise generation or source." The County thus would be granted wide latitude to hold individuals liable for civil fines of \$250-\$500.

County staff responses to business concerns have been grounded in assurances of following the intended enforcement/escalation process that is detailed in the staff report. But, that process is not in the draft amendment, so Arlington County could change its enforcement process without further County Board action. As such, there is no guarantee that enforcement would be equitable or consistent with the goals that County Board members and County staff have expressed this spring.

The Chamber supports businesses and residents being good neighbors. However, the proposed amendment excludes engagement steps and only prescribes enforcement measures, which could be applied in a severe manner. As such, the Chamber encourages the County Board to reject the proposed amendment.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Kate Bates". The signature is written in a cursive, flowing style.

Kate Bates  
President & CEO

CC: Arlington County Board members Katie Cristol, Matt de Ferranti, and Christian Dorsey; County Manager Mark Schwartz; Director of Constituent Services Ben Aiken and Business Ombudsperson Katelyn Thomas