



CITY OF APPLETON

MEMORANDUM

Date: 2/4/2025

To: Board of Health and Common Council

From: Charles E Sepers, Jr, PhD, Health Officer/Director; Darrin Glad, Assistant City Attorney

Subject: Noise Ordinance Proposal

Purpose and Background

The Appleton Health Department, in collaboration with the Appleton Police Department and Legal Services, has conducted a comprehensive review of the city's noise ordinance to enhance clarity, enforceability, and efficiency. The proposed updates are designed to modernize the ordinance and align it with current practices, while also improving its effectiveness in addressing noise-related concerns in our community.

Key Changes

1. Improved Noise Variance Process

- The revised ordinance provides clearer guidelines for requesting, granting, and appealing noise variances.
- The Health Officer is given authority to grant certain event-based variances without requiring full Board of Health approval, streamlining the process for community events.

2. Removal of Light Motor Vehicle Noise Regulations

- The previous ordinance language contained provisions regulating light motor vehicle noise, which have now been removed to comply with existing Wisconsin state laws.

3. Clarification of Muffler Violations

- The ordinance now explicitly adopts Wisconsin Statutes §347.39 (2023-24), ensuring that violations related to mufflers are clearly defined and enforceable.
- The changes prevent conflicts with state law while ensuring that excessive or unnecessary vehicle noise remains subject to penalties.

4. Enhanced Enforcement Provisions

- The enforcement section has been revised to reflect current enforcement practices by the Health Department and the Appleton Police Department.

- Improved language clarifies the authority of enforcement officers and provides better guidance for addressing repeat offenders.

5. General Language and Structural Improvements

- Definitions have been refined to reduce ambiguity and ensure consistency throughout the ordinance.
- The layout and language of the ordinance have been modernized to improve readability and accessibility for residents and businesses.

Recommendation

We request that the Common Council, by way of the Board of Health adopt the proposed changes to the City of Appleton Municipal Code. By enhancing the clarity of the noise ordinance, streamlining allowable noise limits, and providing staff with clearer enforcement discretion, this update is expected to improve overall compliance and enforceability.