



## **4<sup>th</sup> Precinct MPACT Meeting Minutes**

April 16, 2015 - 6:00PM

Linwood Holton Elementary

### **Call to Order**

Zane Robinson, Program Manager

### **Presentation(s)**

#### **Richmond Police Department, Officer Nicholas Castrinos: City of Richmond Noise Ordinance**

- Officer Castrinos provided the attendees with a handout of the City of Richmond Noise Code sections. He stated the department does not have to use a noise meter to issue a citation for the following actions: a dog that barks once a minute for ten minutes, loud music coming from a vehicle that is audible at 50 feet, and the use of a loudspeaker on a vehicle or the exterior of a business. A business that exterior speakers must have a permit. Officer Castrinos informed the attendees that the code section of the noise ordinance is complaint driven, which means that police officers can't make the determination that something is too loud, except when coming from a vehicle. Officer Castrinos stated that a complaint has made and seen by the police. If a citizen calls dispatch to complain about excessive noise coming from a neighbor's house, but the complainant remains anonymous, then the police can't enforce the code section specifically. Officer Castrinos stated that action can be taken if someone remains anonymous but legally he can't go to the accused property and enforce them to turn down their music. Officer Castrinos stated that when the department receives a call for a noise complaint, the responding officer must establish the complainant's type of residency in order to perform the noise reading. The two residency types are single-family dwellings and multi-family dwellings. Single-family dwellings can be measured on any portion of the complainant's property, while multi-family dwellings can only be measured from the inside of the

property. Attendees were informed of the seven exceptions to the City of Richmond Code Sections, which include: performance of emergency, sponsored activities on school grounds, church bells and carillons, activities related to construction during daytime hours, landscaping during daytime hours, refuse collection and sanitation services during daytime hours or daytime extended hours, and lawfully permitted fireworks.

#### **Department of Public Works, Darlene Mallory:**

- Ms. Darlene informed attendees about the updates on the City ordinance for the supercans. Currently the code allows receptacles to be placed on City property or in the public right-of-way no earlier than 4:00 p.m. the day prior to collection and requires the receptacles be removed by 7:00 a.m. the day after collection. The city of Richmond will issue warnings for refuse and recycling receptacles left in the public right of way outside of specified collection times. Ms. Mallory stated the Department of Public Works is looking to modify the code, which will allow more enforcement options which will include fines. The fine is \$50 per day after the supercan is initially tagged.

#### **Discussion Items**

- A citizen asked Officer Castrinos if someone calls dispatch and complains about a neighbors music being too loud but chooses to remain anonymous, will action be taken against that resident
  - Officer Castrinos stated that an officer can't enforce the resident to turn down their music. This is because the responding officer has to be able to stand on the complainant's property and take the reading. He stated that an officer can go to the defendants property and ask them to politely turn down their music
- A citizen asked Officer Castrinos if anything can be done about the fireworks that occur after a Richmond Flying Squirrels game.
  - Officer Castrinos stated that if it is lawfully permitted and the organization has a permit, then they can have fireworks at any time.
- A citizen inquired about the noise ordinance and how it relates to pre-planned events such as Venture Richmond, Brown's Island, Folk Festival, etc.
  - Officer Castrinos stated that if he received a call in regards to a pre-planned event, he would not take any enforcement action without a supervisor's approval. The City issues permits for the events, which include something in writing about noise. Officer Castrinos stated that the resident can request the officers to do a reading and the citizen can use the numbers from the reading and take the results to their respective council members and explain how the noise is affecting them.
- A citizen asked how much is the penalty for receiving a summons for violating the noise ordinance.
  - Officer Castrinos stated that it is a \$250 fine.

- A citizen asked Ms. Mallory when will all the recycling bins be distributed
  - Ms. Mallory stated that the Department of Public Works is looking to roll out the second phase of the recycling program in July.
- A citizen asked who will be responsible for paying the fine for a rental property.
  - Ms. Darlene stated that the owner of the property is the responsible party.

**Public Comment Period**

- No concerns were raised.

There being no further business, the meeting adjourned at 7:30PM

**NOTE: All persons scheduled to present is required to bring a minimum of fifteen (15) copies of all handouts to the meeting.**

**Next Meeting: Thursday, May 21, 2015, 6:00PM, Lindwood Holton Elementary library, 1600 West Laburnum Avenue  
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