



VILLAGE OF COLD SPRING

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GUIDE TO THE PROPOSED MODIFICATIONS TO THE VILLAGE CODE'S NOISE CHAPTER (76)

April 2023

PREVIOUSLY PROPOSED REVISIONS TO CHAPTER 76, NOISE

The proposed revisions to Chapter 76, Noise, build upon a previously drafted update, from November 2021, that was not adopted by the Board of Trustees in office at the time. That 2021 draft can be viewed here, including a redline: [Public Hearing - September 07, 2021 | Cold Spring, NY \(coldspringny.gov\)](#). In sum, the changes proposed in 2021 included:

- Changes to conform to Code Chapter conventions
- Renumbered sections
- separated "Prohibited acts; determination" into "Prohibited acts" and "Determination"
- added section "Districts defined"
- changed "Permits" to "Relief"
- Changed definition of "Daytime Hours" and "Nighttime Hours"
- Added definition of "Village"
- Added "drone" to list of Powered Model Vehicle
- Grammar changes; Gender neutral.
- "Zones" replaced by "districts"
- 76-5 reformatted to tables
- 76-7 changed to reflect new daytime and nighttime hours
- 76-9 changed to remove industrial zones and replace with business districts.
- Modifications to 76-10 (previously "Permits", now "Relief") include change from "permit" to "relief", change from "Fire Inspector" to "Code Enforcement Officer"
- 76-11 C (2) added "digital audio player" Deleted replacement schedule within a specific timeframe for stationary machinery, equipment, air conditioners, fans. Deleted "noise sensitive quiet zones". Deleted exemption of sound level limits for domestic power tools, lawnmowers and agricultural equipment. Added exemption of sound level limits for: sporting events; any events sponsored by the local school district; emergency construction as determined by the Code Enforcement Officer; emergency activities

required by the Village. Added violations prosecuted by the Code Enforcement Officer or the Village Police Department. Added the Village Board is empowered to seek injunctive relief against any person or business in addition to any other penalties

IMPORTANT MODIFICATIONS NOW UNDER CONSIDERATION BY THE BOARD OF TRUSTEES

Despite the needed updates proposed in September 2021, the language of the Noise Chapter is still not accessible, common English. More work is needed to improve the usability and clarity of this chapter. However, it is important to make the following proposed changes now so that Chapter 76 aligns with updates in Chapter 134, Zoning. They are:

- 76-1: Adding necessary modifications, revisions and insertions in the definitions section, including Off-Road Motor Vehicle, Property (relocated from the former 76-17); modifying the definition of “Noise” to “Unreasonable Noise;” relocating “vehicle” (from the former 76-17).
- Updating references throughout chapter of the defined term “Noise” to “Unreasonable Noise”
- 76-5: aligning zoning district references to those proposed in Chapter 134—Zoning, also under consideration.
- 76-13 Simplifying and clarifying language in the penalties section; removing jail time as a punishment for chapter violations
- 76-15: replaced grammatically inaccurate use of word “sensitiveness” with the correct “sensitivity”
- 76-17: modifying term “Off-Highway Motor Vehicles” to “Off-Road Motor Vehicle;” moved definitions inappropriately placed in this section to 76-1

WHY ARE THE TRUSTEES CONSIDERING THESE MODIFICATIONS?

- Without updating zoning district references, Chapter 76 would not align with the proposed new Chapter 134, Zoning.
- Where language could be improved within the given code update timeline, those changes are proposed.

WHERE CAN I GET MORE INFORMATION?

- The Noise Chapter currently on the books can be read here:
<https://www.coldspringny.gov/sites/g/files/vyhli416/f/uploads/noise.pdf>
- You can review the currently proposed, 2023 draft Noise chapter here:
[0104-signs for public review. april 2023.pdf \(coldspringny.gov\)](https://www.coldspringny.gov/sites/g/files/vyhli416/f/uploads/0104-signs_for_public_review_april_2023.pdf)

And see the redline for the 2023 Noise draft from the 2021 Noise draft here:

[https://www.coldspringny.gov/sites/g/files/vyhli416/f/uploads/0076-noise redline of spet 2021 draft.pdf](https://www.coldspringny.gov/sites/g/files/vyhli416/f/uploads/0076-noise_redline_of_spet_2021_draft.pdf)

- You can review the proposed 2021 Noise chapter draft, and its related redline from the Chapter currently on the books here:
[0104-signs track changes on nov 2021 revisions. april 2023.pdf \(coldspringny.gov\)](https://www.coldspringny.gov/sites/g/files/vyhli416/f/uploads/0104-signs_track_changes_on_nov_2021_revisions_april_2023.pdf)
- Send questions to the Village Clerk at vcsclerk@coldspringny.gov

HOW CAN I ASK QUESTIONS AND GIVE FEEDBACK?

The public hearing on Chapters 134, 76 and 104 is scheduled to open on Wednesday, April 26th at Village Hall, 85 Main Street. At this time, the planning consultant will provide an overview of the proposed changes. There will be a written comment and response document that will be available on the Village website so everyone can see how their questions and concerns have been addressed.

Time can be allotted at subsequent Village Board of Trustees meetings for residents to provide feedback and ask questions:

- April 26
- May 3
- May 10
- May 16 (note that this is a Tuesday)

You are welcome to join in person or online via zoom. Weekly agendas and the Zoom link are available here: [Mayor & Board of Trustees | Cold Spring, NY \(coldspringny.gov\)](#)

You can also send questions and comments to vcsclerk@coldspringny.gov.

Depending on feedback, the Board of Trustees will determine the need to continue the public hearing. If more discussion is needed, the Board of Trustees will take up a vote to leave the public hearing open.

ARE THERE OTHER CODE CHANGES UNDER CONSIDERATION RIGHT NOW? WHY?

Yes, the public discussion also covers Code Chapter 104, Signs and Placards and Code Chapter 134, Zoning. Sign, Noise and Sign regulations are referenced in parts of the Zoning chapter, so revisions there need to be reflected in Chapters 76 and 104, as well. All of the proposed chapters can be found here:

<https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>