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Residents to Face Fines, Bars and Nightclubs Could Lose Business License for 'Noise Pollution' if Francis-Sponsored Bill Becomes Law

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A wide-ranging bill sponsored by Senator Novelle Francis that seeks to curtail loud music and other forms of "noise pollution" not only from vehicles but homes and entertainment facilities, was approved in the Committee on Homeland Security, Justice and Public Safety Friday. The measure has been forwarded to the Committee on Rules and Judiciary for further vetting.

The bill says "all owners of nightclubs, taverns, or bars within 100 feet of any church, school or residential zoning district shall make all practical modifications to reduce sound that constitutes a noise disturbance or exceeds the noise limit as provided in section 2042a." According to Dept. of Licensing and Consumer Affairs Commissioner Richard Evangelista, the current distance is within 500 feet.

In the new [bill](#), Section 2042's sound standards for noise or music emanating from a business establishment are:

- Sunday through Thursday, 7:00 a.m. to 12:00 midnight – 80 decibels
- Sunday through Thursday, 12:00 midnight to 7:00 a.m. – 65 decibels
- Friday and Saturday, 7:00 a.m. to 2:00 a.m. – 90 decibels

The residential noise limit set by the new measure is 65 decibels in the day and 60 decibels during the nighttime. Residents with loud music or other noise pollution that exceeds the residential limit will face fines.

The bill also says that any owner or operator of a nightclub, tavern, or bar not in compliance with the law will face financial penalties and possible revocation of their business license.

The bill exempts carnival festivities subject to a 3:00 a.m. end time, while live outdoor music events approved by the V.I. Police Department has an end time of 4:00 a.m.

Mr. Evangelista, the DLCA commissioner, said the department fully supports the reduction of noise from 500 feet to within 100 feet of any church, school, or residential zoning district.

"The amendments strike a keen balance between the need for peaceful enjoyment of property or space while allowing economic activity to return to our towns, and for entertainment and restaurant venues to thrive throughout the territory," he said. "The new measures also contemplate the implementation of current sound technology to aid in noise abatement by making the regulation of noise more practical."

Mr. Evangelista further stated that "reducing noise pollution is a concern for all of us. Noise abatement can reduce external costs like medical expenses for noise-related health issues and reduce the cost of lost productivity in the workplace due to absenteeism resulting from the adverse effects that excessive noise can have on sleep."

The V.I. Dept. of Justice and the V.I. Police Department voiced support for the measure, with Deputy Attorney General Eric Chancellor providing testimony on D.O.J.'s behalf, including recommending some changes to the measure in areas that appear contradictory. Police Commissioner Ray Martinez spoke of a collaboration between the V.I.P.D. and DLCA to install devices that can monitor loud noises emanating from moving vehicles.

Ronald Russell, a former senator and current Gov't Employees' Retirement System board member, testified as chairman and executive director of Our Town Frederiksted, stating that the nonprofit organization "wholeheartedly" supports Bill No. 34-0211. "This bill is a significant and appropriate modification to the Virgin Islands Noise statute," Mr. Russell said.

Malik Stridiron testified on behalf of the U.S. Virgin Islands Car and Audio club. He said the organization had been made aware of complaints from individuals about the loud music emanating from vehicles that are part of the club.

To that end, Mr. Stridiron spoke of the club's positive benefits. "We have had numerous parents who have spoken to us in gratitude for our involvement in the lives of their children who would otherwise be idle be given an outlet to learn a vocational skill saying thank you," he said. "I have had many parents stating that they had never seen my son/daughter take such an interest in

anything before. Families have the opportunity to prepare a vehicle for competition together. Fathers, sons and daughters bonding. We have youngsters from 8 years and up involved."

Melody Rames, a member of the Executive Board of the Frederiksted Economic Development Association, said she recalled providing testimony on [the same measure in 2016](#), and said since then not much has changed relative to feedback from residents in Frederiksted. In fact, "depending on who you talk to, things have gotten worse regarding the level of noise that is affecting this community daily," she said. Even so, "everyone who lives, works, plays and worships in Frederiksted would like solutions that treats everyone with equal respect."

"In conclusion esteemed senators, quality of life is a precious commodity and must be protected. Entertainment and social gatherings are an important part of life. Going through two years of Covid restrictions has shown us this cannot be taken for granted. At the same time, it is necessary to strike a balance and respect everyone's pursuit of happiness," Ms. Rames said.

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