

April 23 at 11:13 PM

I've for the most part stayed out of politics since leaving my position on the Town Council, but this proposed legislation has brought me to comment on its absurdity. I encourage everyone of a similar belief to please contact members of the board and oppose the proposed noise law:

[My Letter]

Dear Supervisor and Council Persons,

I'm writing to respectfully request that you remove from consideration the currently proposed noise ordinance.

I'm in a position to have spent much time contemplating such a law. While I'm still generally opposed, I'm perfectly willing to admit that the actions of a few may require further steps to enforce what should be considered common decency.

Unfortunately, the proposed draft has many shortcomings that make it overly vague, over burdensome, difficult to enforce and, because of those flaws, most likely unconstitutional.

I did a tremendous amount of research on this topic when it was addressed during my tenure on the board. What was generally accepted as "good legislation" almost always acknowledged an objective standard for defining "unreasonable" noise. The current proposal contains no such objective standard. Determination of a violation, and enforcement, is entirely at the discretion of the responding officer. This could result in two different outcomes to a similar complaint. This is a recipe for selective enforcement, which is

typically frowned upon by the courts.

There was an incomplete working draft from around 2014 that addressed many of these concerns. I would encourage you to revisit that draft, because I think it was much better than this current proposal.

Respectfully submitted,

Bill Schirmer