

Language for Town of Carrboro Charter Amendment Request

1) What the Charter presently allows:

Page of Section 5-21 on page 5-11 states a violation of Section 5-11 and 5-12 shall constitute a misdemeanor and is punishable under NCGS 14-4.

2) What the proposed amendment would allow:

Add a (f) that states that **the town manager or designated staff member shall be the person to be informed by a complainant of any alleged violations of Sec. 5-12 (4), which regulates noise from various construction tools, machinery or equipment during certain hours of the work day for property within 300 feet of a residentially occupied dwelling. The town shall be responsible for notifying the appropriate law enforcement officials for enforcement of Sec. 5-12(4).**

3) Reasons for proposed amendment:

Se. 5-21 has been interpreted by Town staff to require a citizen and/or individual property owner to notify the police of any violation of 5-11 and 5-12. This interpretation imposes on said person, particularly if their property is located adjacent to the person responsible for such noise infraction, an uncomfortable responsibility. This burden is increased where the responsibility for the noise violation is committed by a for-profit corporation and/or its contractors and subcontractors whose employees are present on land near or on the property of the property owner. The larger the corporation, the heavier the burden as well as the possibility of the threat of stoppage fees or other legal action can be.