



SALLIE ALCORN
Houston City Council Member
At-Large, Position 5

April 19, 2023
Testimony on House Bill 1247
County Affairs Committee

I write in opposition to House Bill 1247 (HB 1247) relating to municipal regulation of sound for food service establishments. I am concerned this bill will preempt important changes recently adopted by city council to strengthen Houston's noise ordinance.

Since appointed as chair of the city's Regulatory and Neighborhood Affairs council committee in 2020, I have continuously heard from Houston residents about excessive late-night noise stemming from bars and nightclubs near their homes. There are some bars which repeatedly violate the noise ordinance, basically flaunting the city's rules and decibel levels and destroying quality of life in surrounding neighborhoods. For this reason, I went to work with the city's police, legal, and administration and regulatory affairs departments to modify our ordinance to bring establishments into compliance and address the actions of repeat violators.

With the recent changes, the city instituted a new commercial establishment permit for nightclubs, bars, and restaurants within 300 feet of a residence playing amplified sound which can be heard outdoors after proposed hours, 10:00 P.M. Monday through Thursday, and 11:00 P.M. on Fridays and Saturdays. To focus on repeat violators, the approved changes include codifying and refining an administrative hearing process for the suspension or revocation of a permit. As part of the hearing process, the permittee has the option to propose and implement a sound impact plan – a plan to mitigate loud noise going out into the neighborhood. The sound impact plan may include the installation of a sound barrier and ways to better monitor sound amplification equipment. If the hearing officer accepts the proposed sound impact plan, the business will have 90 days to implement it.

For two years, I worked with staff from relevant city departments and stakeholders including civic club/super neighborhood leadership and industry members from the Houston's Neighborhood Beer Garden and Bar Association. Stakeholders worked together to strike the right balance and find the most effective way to protect both our residential neighbors and local businesses.

The implementation of HB 1247 would put the recent hard-earned changes to the noise ordinance in jeopardy thereby having a detrimental effect on many Houston neighborhoods. As a city with no zoning, Houston must maintain its control over setting its own rules to protect residents.