

AMENDMENT #4 TO THE RULES, REGULATIONS & PROCEDURES OF THE PORT OF PORT TOWNSEND

Issued by the Executive Director on April 29, 2021

Pursuant to Port of Port Townsend Commission Resolution No. 743-21, "A Resolution of the Board of Commissioners Delegating Administrative Powers and Duties to the Executive Director and Designees", the Executive Director of the Port of Port Townsend is authorized to adopt Rules, Regulations and Procedures necessary for the efficient operation of the Port, so long as such Rules, Regulations and Procedures are reported to the Commission in a timely manner and are otherwise consistent with Commission policy.

Under Section 1.03.010 of the Port of Port Townsend Rules, Regulations and Procedures ("the Rules") promulgated by the Executive Director on October 15, 2013, the Executive Director is also authorized to adopt subsequent amendments the Rules.

Consistent with this authority, the Executive Director of the Port of Townsend hereby amends Chapter 1.05, "General Rules & Regulations", to add a new Section 1.05.050, "Public Disturbance Noise", which shall read as set forth below¹:

1.05.050 Public Disturbance Noise.

It shall be a violation of these rules for any person willfully to cause to originate from Port property any sound which:

- A. Is caused by the operation of any device designed for sound production or reproduction, such as but not limited to radios, televisions, musical instruments, stereos, and loudspeakers that exceeds sixty (60) dBA measured at the edge of any Port-leased property or adjacent to any thoroughfare across Port property; or
- B. Is caused by any noise source described in subsection (A), above, which unreasonably disturbs or interferes with the peace, comfort and repose of any Port tenants at any point on the Port's property.

Entertainment events to which the public is invited to attend (e.g., musical performances at pubs and restaurants, community festivals, etc.) shall be exempt from this section. Moreover, sounds associated with industrial and commercial activities conducted on Port properties are not governed by this section but are subject to the provisions of Chapter 9.09 of the Port Townsend Municipal Code or Chapter 8.70 of the Jefferson County Code, as may be applicable. Notwithstanding the foregoing, noise of a harsh or loud quality associated with industrial and commercial activities conducted on Port properties (e.g., from generators, vactor-trucks, needle guns, corking, sandblasting, demolition or cutting and grinding of metal) shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and are prohibited on national holidays.

Rationale for the Amendment: Noise complaints have occurred repeatedly in recent years, particularly at Boat Haven, in which moorage tenants have objected to loud music emanating from Port leasehold tenants. Accordingly, this new Section 1.05.050 focuses on noise associated with the operation of devices designed for sound production (e.g., stereos).

¹ Language to be stricken indicated in ~~strikeouts~~, new language indicated by double-underlining.

This Amendment to the Rules, Regulations and Procedures is dated this 29th day of April 2021, and effective immediately upon issuance.



Eron Berg, Executive Director

April 29, 2021