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# City of Rehoboth Beach

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Managing Impacts of Current Development Trends on  
Residential Neighborhoods:

Noise Ordinance

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Private, Residential or Family Swimming Pool Ordinance

12/19/14



**City of Rehoboth Beach**

Managing Impacts of Current Development Trends on Residential Neighborhoods: Issues and Possible Solutions

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# Recap from Last Meeting

- Discussion of Rental Ordinance
  - Agreement to combine current rental licensing program to incorporate vacation rentals
  - Draft Ordinance placed on hold for now
  - Discussion of fee increases placed on hold
  - Discussion of changing rental license due date to April 1<sup>th</sup>, no decision
- Action Items
  - Update rental permit form to incorporate emergency contact information
  - Update good neighbor brochure



# Time Constraints

- Pool Moratorium ends April 17, 2015
- Items to be addressed
  - Rental Ordinance/Requirements
  - Noise Ordinance Updates
  - Pool Ordinance/Regulations
  - Zoning Changes
- Changes by policy short timeline
- Changes by ordinance require at least 2 month window – for advertising, public hearings, etc.



# Noise Ordinance Discussion



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# Draft Noise Ordinance

- Based on time of day, Officers may issue verbal warnings – if noise continues charged with violation
- Enforcement and Penalties – Modified to be in line with Rehoboth Code, Fines range from \$100 - \$500
- Plainly Audible Definition included; It is not used in Rehoboth's current Noise Ordinance
- Noises Prohibited and Allowable Noise Levels - Both sections thorough, kept as is
- Between 9pm and 7am, noise from residential properties shall not disturb neighbors – measured by plainly audible standard
- Noise Disturbance Defined



# Draft Noise Ordinance

- Noise Suppression Devices – Added entire section
- Inspections – Taken directly from current Noise Ordinance
- Playing music after 11 p.m. from a patio – Added to Noises Prohibited
- Amusement Parks and Arcades – Added to Exceptions and Special Waivers



# Noise Level Comparison

## Current Code vs. Proposed

Zoning District	Time of Day	Continuous Noise (dBA)	Impulsive Noise (dBA)
Commercial	Daytime	70 / <b>63</b>	
	Nighttime	55 / <b>59</b>	120 / <b>100</b>
Residential	Daytime	65 / <b>57</b>	
	Nighttime	55 / <b>52</b>	100 / <b>80</b>
Noise Disturbance	Anytime	<b>10 above ambient at property line</b>	<b>5 above ambient at property line</b>

- Table is from Rehoboth's current Noise Ordinance
- Noise Levels shown in **RED** are used in Draft Noise Ordinance



# Residential Swimming Pool Ordinance Discussion



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# Purpose of Swimming Pool Ordinance

- Ordinance provides a guideline and regulations for residential swimming pools
- Currently no City regulations
- Purpose as stated in the Ordinance: To ensure that residential swimming pools are used and enjoyed in a responsible manner that protects the health, safety and well-being of all residents, guests and visitors



# Swimming Pool Definitions

**Private, Residential or Family Pool**: A swimming pool 24” or more in depth used or intended to be used solely by the owner thereof and their family, and by guests, invitees, or friends invited to use it without payment of any fee. This includes residential in-ground, above ground and on-ground swimming pools, hot tubs and spas. This excludes hotels, motels or condominiums.

**Private for Profit Pool**: A swimming pool 24” or more in depth used or intended to be used solely by the owner, or lessee thereof and their family, and by guests, invitees, or friends invited to use it with payment of any fee. This includes residential in-ground, above ground and on-ground swimming pools, hot tubs and spas. This excludes hotels, motels or condominiums.



# Swimming Pool Ordinance

## Topics Covered in Ordinance:

- Need for permit, with construction drawings, site plan, survey and cost proposal, and inspection reinforced
- Location – Pool not to be located in any required front, side or rear yard setback; Pool cannot be closer than 10' of any property line
- A pool cannot exceed 5% of the total lot area, not including decks and walkways
- Buffers – Required screening; Fences not to exceed 6'; Screening can be plant materials, building placement or other design techniques



# Swimming Pool Ordinance

## Topics Covered in Ordinance:

- Following the International Residential Code, 2012, Appendix G “Swimming Pools, Spas and Hot Tubs”
- Equipment – All pumps and filters must be located inside an enclosure to reduce noise
- Pool Operations License must be obtained by owners leasing or receiving financial compensation for a residential property; Also include annual inspection; Violations can result in revoking operations license
- As part of the Pool Operations License safety equipment and signage is required



# Swimming Pool Ordinance

## Areas of Concern:

- Pumps and Filters – No pumps, filters or other equipment permitted in setbacks
- Lighting – Lights used to illuminate the pool should not be directed at adjoining properties; Unshielded lights not permitted
- Noise – Pool quiet hours from 11 pm to 9 am



# Further Discussion / Path Forward



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