

The Bandera PROPHEET

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Bandera City Council adopts revised noise ordinance, temporary vendor permit requirements

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After the mayor executed her statutory authority opposing council actions taken in May adopting new noise and temporary trade/cottage food vendor requirements, Bandera City Council members once again approved the ordinances, with minor revisions.

Among those changes, council on Tuesday extended Friday and Saturday night hours to 1 a.m. The maximum allowed sound level in residential and non-residential areas remains the same at 65 decibels, an increase from the previous 63-decibel maximum. During quiet hours, between 10 p.m. and 8 a.m., in both residential and non-residential areas, noise may not exceed 55 decibels.

The adopted limits are as follows:

Friday: 5 - 11:30 p.m.: 75 decibels; 11:30 p.m. to 1 a.m.: 65 decibels

Saturday: noon to 11:30 p.m.: 75 decibels; 11:30 p.m. to 1 a.m.: 65 decibels

Sunday: noon to 5 p.m.: 75 decibels

Mayor Rebeca Gibson asked council members to consider raising the maximum noise level during non-quiet hours to 85 decibels, which Council Member Tony Battle rebuked.

“We live in such a small community. We don’t have a central business district and suburban area...many share property lines. We have to compromise,” Battle said, adding the tested volume from a large speaker

at the highest level indoors did not exceed 55 decibels measured 50 feet away outside at the curblin, with the window open. “Even an airplane flying overhead does not register 85 decibels from the source of the complaint. We tested on the night of Thunder in the Hills, we tested when Jack Ingram was in town. That’s where we set the watermark. We have to do something for our residents. We have to give them something to rely on.”

Council Member Jeff Flowers said the previous ordinance was more restrictive than the new one, which Battle said most businesses consistently violated.

“Our job is to try to accommodate all, not just some. We’re trying to find balance between both sides,” Flowers said. “Just because people at an establishment enjoy the loud music, doesn’t mean everybody does.”

The ordinance details many day-to-day exceptions, such as emergency vehicles, parades, historical reenactments and other citywide approved events, school and playground activities, church bells, yardwork, and construction and mechanical tools, which at whatever decibel reading they measure, may be used between 8 a.m and 8 p.m.

“There was some concession, and I’m grateful for that,” Gibson said.

For mobile food vendors, council extended the permit period from eight to 12 consecutive months. Vendors will still be required to relocate their food carts within 24 hours of their permit expiration date.

Much to many locals’ delight, Chicken Charley’s, which teetered on not opening this summer while the matter was pending, is planning to resume operations by July 5, keeping the traditional hours of Wednesday through Sunday, 10:30 a.m. to 3:30 p.m., or until the food sells out for the day.