



AN BILLE UM THORANN 2006
NOISE BILL 2006

EXPLANATORY MEMORANDUM

Provisions of the Bill

Section 1
Short title

Section 2
Definitions

Section 2 contains standard provisions relating to the interpretation of the Bill.

“Noise” is defined as it appears in the EPA Act 1992:

“Noise”, as s.4(2) EPA Act 1992; ‘any unwanted sound, which is a nuisance, or would endanger human health or damage property or harm the environment’.

“local authority” as defined in the Local Government Act 2001, means—

- (a) a county council,
- (b) a city council,
- (c) a town council.

Section 3
Complaints of neighbourhood noise at night

Section 4
Warning notices

Section 5

Offence where noise exceeds permitted level after service of notice

Only after a warning notice has been and the noise continues beyond the permissible level is the noise control officer obliged to measure the levels with a measuring device.

Section 6

Permitted level of noise

Section 7

Approval of measuring devices and evidential matters

For the purposes of this section, a document purporting to be signed will be treated as such unless the contrary is proven.

Section 8

Fixed penalty notices

Section 9

Powers to search and seize

Section 10

Complaints of neighbourhood noise during the day

The noise control officer will carry out the local authority's current role by default as the relevant officer; the EPA must agree for the particular officer to take over this role in relation to IPPC licensable activities.

Section 11

Intruder alarms

European Standard EN 50131/1/1997 is currently under review and is likely to be revised in early 2006. In this event the Minister may make provision in order that this higher standard is adhered to.

Section 12

Noise caused by barking dogs

Section 13

Noise from open-air events

The noise control officer's view of what is 'reasonable' is the standard to be adhered to, having regard to his expertise in the area.

Events of 5,000 or more people are governed by s.229 Planning and Development (Licensing of Outdoor Events) Regulations, 2001.

*Ciarán Mac Dhuibh,
Samhain, 2006.*