

*City of Gloucester City
512 Monmouth Street
Gloucester City, NJ 08030*

*Borough of Bellmawr
21 East Browning Road
Bellmawr, NJ 08031*

*Borough of Brooklawn
301 Christiana Street
Brooklawn, NJ 08031*

*Borough of Westville
165 Broadway
Westville, NJ 08093*

IMMEDIATE ATTENTION PLEASE

August 26, 2020

Via Regular and E-mail

The Honorable James F. Kenney, Mayor
City of Philadelphia
City Hall, Office 215
Philadelphia, PA 19107

**Re: Noise Complaint
South Jersey Waterfront Communities**

Dear Mayor Kenney:

We are writing this letter united as four (4) South Jersey Mayors of the City of Gloucester City, Borough of Bellmawr, Borough of Brooklawn and the Borough of Westville representing a total over nearly 29,000 constituents. Over this past weekend (August 21-23), our communities suffered unwanted and intrusively excessive noise from motor vehicles commonly referred to as “Boom Cars”; and parking in the Jetro Cash & Carry (“Jetro”) and the surrounding area including lots surrounding Lincoln Financial Field and Citizens Bank Park.

The same issues occurred last year and the problem was ultimately resolved working through the Philadelphia Police Department. Typically, the noise infractions occur between the hours of 12:00 midnight and 5:30 a.m. In actuality, for the past several years our towns and residents have been dealing with overnight loud music and excessively loud bass sounds which is so pervasive, homes literally vibrate from the noise.

Organizations such as Noise Free America, a coalition to promote quiet, located in Chapel Hill, North Carolina, have conducted studies of the noise and determined that motor vehicles retrofitted with car stereos are designed to pump out a whopping 175 decibels with up to 48,000-watt system which would be approximately eight (8) times louder than a 747 jet plane. Moreover, various manufactures of such sound system actually brag that its equipment can “shake seats and annoy neighbors” and boasts that a four-channel 120 watt amp will “put the over-40 set into cardiac arrest” or gloat that their products “make you bleed” and system marketed by Sony developed the slogan for its Xplod speakers that claims it is meant to “disturbs the peace”. Studies have shown that these brutal, excruciatingly loud cars with powerful booming bass can be heard for more than a mile away, shake windows and furniture.

Boom Car noise is physically dangerous and in addition to causing hearing problems, the respected American Psychiatric Association reports that noise is related to chronic fatigue syndrome and the United States Environmental Protection Agency has long recognized noise as a risk factor for heart disease. Boom Cars have been found to be a public safety hazard, increasing the chances of accidents by distracted motorists and making it more difficult for drivers to hear emergency sirens.

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The acoustic attacks fostered by Boom Cars runs counter to the desire of most Americans for peace and quiet, where the United States Census Bureau found that noise is Americans' No. 1 complaint about their neighborhoods. In fact, in 2002, the United States Department of Justice Office of Community Oriented Policing Services (COPS) issued a report, "Loud Car Stereos," written by University of Wisconsin-Madison law school professor Michael S. Scott.

The report states:

"Most jurisdictions have some form of noise law that regulates loud car stereos. Police are concerned about loud car stereos for two main reasons: (1) they annoy some people; and (2) they inhibit some drivers' ability to hear emergency signals on the road. This guide focuses on the annoyance aspect of loud car stereos, rather than the safety aspect, because there is not much published research and practice related to the latter. Loud car stereos can also make another noise problem worse: they can activate some car alarms. In some jurisdictions, drug dealers advertise by cruising neighborhoods with the car stereo turned up loud. In most jurisdictions, the problem of loud car stereos falls to the police to address, primarily because enforcement carries the risk of violent confrontation. The problem of loud car stereos is more widespread than a simply tally of complaints would reveal. Perhaps only five to ten percent of people bothered by any type of noise will file an official complaint, because other factors influence people. Many citizens are not aware of their legal right to quiet and do not know where they can register a complaint."

The United States Department of Justice report outlines a number of approaches to reducing Boom Car noise:

1. Enforcing laws that prohibit "plainly audible" car stereos.
2. Enforcing laws that establish specific decibel limits for car stereos.
3. Enhancing penalties or lowering tolerance levels for loud car stereo violations that occur in specified zones.
4. Enhancing penalties for repeat offenders.
5. Impounding cars with loud car stereos as evidence.
6. Holding car owners liable for loud car stereo violations.
7. Obtaining nuisance abatement orders against loud car stereo owners.
8. Sentencing offenders to listen to music they do not like.
9. Issuing written warnings.
10. Requiring car stereo dealers to provide customers with warnings about the health and legal consequences of playing car stereos loudly.
11. Posting warning signs in areas where loud car stereos are common; and

Immediate action is needed to abate this ongoing problem including the enactment of harsher laws, pressuring auto stereo manufacturers to stop glorifying audio violence, companies that gloat about

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disturbing the peace should hear from angry consumers and Law Enforcement Officials should carry decibel meters and those driving with their windows down should be on the lookout for noise violators.

Anti-Boom Car programs has been enacted, including an extremely successful program in Elkhart, Indiana, a town with a population of 52,000 near the University of Notre Dame, where the City's anti-noise program relies on active enforcement of noise ordinances to reduce noise, strict fines from noise enforcement to generate revenues to fund a noise enforcement officer and anti-noise publicity, which serve to lessen noise levels, have improved the community's quality of life and reduced crime as evidenced by one year when the Elkhart's noise control officer did more drug busts than any other Elkhart police officer and he was looking for noise violators, not drugs.

We certainly understand that Philadelphia has a myriad of policing issues to confront, including the current opioid crisis. However, we stand united as Mayors on behalf of our respective communities, and simply seek solutions to a solvable problem through stepped up police noise enforcement. Multiple calls to the Philadelphia Police Department have not resolved this ongoing torment and Gloucester City, Bellmawr, Brooklawn and Westville residents continue to report that problems persist.

Philadelphia City Ordinance - **CHAPTER 10-400. NOISE AND EXCESSIVE VIBRATION**, provides in pertinent part:

- § 10-401. Legislative Findings - (1) The City Council of the City of Philadelphia finds:
- (a) that noise and excessive vibration degrade the environment of the City to a degree which:
 - (1) is harmful and detrimental to the health, welfare and safety of its inhabitants;
 - (2) interferes with the comfortable enjoyment of life, property and recreation and with the conduct and operation of business and industry;
 - (3) causes nuisances;
 - (4) during the course of various public events important within the cultural and civic framework of the City's annual activities, such as the Mummers Parade, tends to cause discomfort, disruption and annoyance both to the event participants and its observers;
 - (b) that no one has any right to create noise or excessive vibration;
 - (c) that effective control and elimination of noise and excessive vibration is essential to the furtherance of the health and welfare of the City's inhabitants and to the conduct of the normal pursuits of life, recreation, commerce and industrial activity.

We respectfully seek your intervention to curb this threat to the health and safety of our residents. An actual Facebook Page entitled "Inconsiderate Late-Night Philly Music" has been created by frustrated

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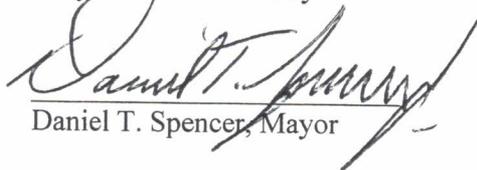
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South Jersey residents. In just a short period of time, the page has 1,280 members. Immediate relief is needed. The noise disturbance is unbearable. Please intercede and put an end to this egregious behavior.

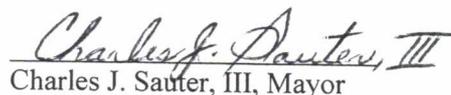
We look for to your assistance and the courtesy of a reply.

Respectfully Submitted,

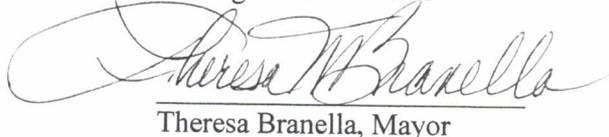
City of Gloucester City


Daniel T. Spencer, Mayor

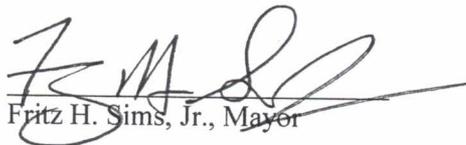
Borough of Bellmawr


Charles J. Sauter, III, Mayor

Borough of Brooklawn


Theresa Branella, Mayor

Borough of Westville


Fritz H. Sims, Jr., Mayor

CC: Governor Thomas Wolf, State of Pennsylvania
Governor Phil Murphy, State of New Jersey
Congressman Donald Norcross, New Jersey 1st Congressional District
Congressman Dwight Evans, Pennsylvania 3rd Congressional District
Philadelphia Councilman Mark Squilla, District 1, Majority Deputy Whip
Senator Stephen M. Sweeney, President, New Jersey State Senate
Senator James Beach, New Jersey State Senate, 6th Legislative District
Senator Nilsa Cruz-Perez, New Jersey State Senate, 5th Legislative District
Senator Fred H. Madden, New Jersey State Senate, 4th Legislative District
Senator Troy Singleton, New Jersey State Senate, 7th Legislative District
Louis Cappelli, Camden County Freeholder Director
Brian Abernathy, Managing Director, City of Philadelphia
Philadelphia Police Commissioner, Danielle Outlaw
Captain Brian Hartzell, Philadelphia Police Department District 3 Leader
Edward Catalano, Jetro Manager
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Mayor and Borough of Bellmawr Borough Council
Mayor and Borough of Brooklawn Borough Council
Mayor and Borough of Westville Borough Council
Howard C. Long, Jr., Gloucester City Solicitor/Bellmawr Borough Solicitor
Timothy D. Scafidi, Borough of Westville Solicitor
Timothy J. Higgins, Borough of Brooklawn Solicitor