

New York City's Noise Code in the News

Description:

Students will read news articles relating to sound and noise issues in New York City in order to understand differing viewpoints.

Objectives:

- To become aware of current issues relating to loud sounds and noise in the NYC environment and engage in classroom discussion regarding these issues
- To practice analyzing news articles in the context of stakeholders, problems and solutions.

Vocabulary

Noise abatement, noise pollution, stakeholder

Recommended for:

6th – 12th grade students

Materials:

- “Sample Articles and Research Topics” worksheet (attached, pg. 3)
- “Part 1: Identifying Stakeholders” worksheet (attached, pg. 6)
- “[Mapping New York’s Noisiest Neighborhoods](#)” article (January 2015)
- “Part 2: Mapping NYC Noise” worksheet (attached, pg. 7)
- New York City Noise Code or New York City Noise Code Fact Sheet

Background Information:

Extended exposure to noise can affect public health and comfort. Noise complaints continue to be the number one quality of life issue for New York City residents.

Method:

- Find an article about city noise and/or noise complaints.
 - You can look at the “Sample Articles and Research Topics” as a resource.
 - Attached to this lesson are two articles about the Mister Softee Jingle; however, there are many relevant topics for your students to choose from.
- Students can also research and find noise-related articles on their own.

Part 1:

- Distribute and allow students to read sections of the New York City Noise Code or the New York City Noise Code Fact Sheet.
- *Intro Discussion:* Have students skim through and note the noise regulations that they found surprising and the noise regulations that they expected.
- Are there any noises that the noise code regulates that they find particularly bothersome?
- Are there any noises that they find particularly bothersome that the noise code does not regulate?
- Split the students into groups and give each group copies of the articles. Students will

read and take notes on the different perspectives and conflicts present.

- Discuss the chosen article, as a class or in groups.
 - Identify the conflict and the stakeholder perspectives.
 - Stakeholders include the residents/community members, the vendors, council members and other public figures, etc.
 - Do students know what compromise was met, if any? What do students think a good compromise would be?

Part 2:

- Have students read “Mapping New York’s Noisiest Neighborhoods,” while using the attached worksheet as a reading guide.
- Referring back to the “Mapping New York’s Noisiest Neighborhoods” article, each group will choose a New York City Noise Code regulation and corresponding complaint.
- Within each group, students will role-play as the various stakeholders: complainant, source of noise, and NYC government. Students can also choose a specific NYC neighborhood to represent. Identify the perspectives and concerns of each of these individuals.
- After discussing amongst themselves, each group will develop a presentation or skit for their class. This should include the conflict, the main arguments of each side, and a solution. There should be a role for someone to reach a decision either in favor of one or in favor of a compromise. What role does this person take?

Discussion:

- If you were formulating a New York City noise code, what would it say?
- If you were making a noise code for your school, what would it regulate? Who would the stakeholders be when creating this noise code for your school?

Extension:

- Teachers and students can also look into [this Trulia pulsating map](#) of New York City’s noise complaints.
- Or [this visualization done by artist Karl Sluis](#) that visualizes noise complaints in Manhattan in 2012.

For more information contact:

New York City
Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373
educationoffice@dep.nyc.gov

Also visit DEP’s website at:
www.nyc.gov/dep

Research Topics and Sample Articles

Food Vendor, Restaurant, and Bar Noise

[“Mister Softee May Fall Under Cone of Silence”](#) (June 2004)

Story attached below (pg. 4)

[“Those Ice Cream Truck Jingles are keeping New Yorkers Up at Night”](#) (June 2016)

Story attached below (pg. 5)

[“Noise Complaints at 9th Ave Bar Lead to ‘Screaming’ Match with Neighbors”](#) (July 2016)

Watch [this NYC DEP video](#) about mitigating noise in restaurants and bars.

Vehicles and Transit Noise

[“New Yorkers plagued by Airport Noise see some Relief in Sound Monitors”](#) (June 2015)

- If you want to look into airplane noise you can also check out the [Webtrack](#), an interactive, real-time map of planes in the NYC area and ground level sound measurement.
- You can also look on the [Federal Aviation Administration website](#).

[“NYC Controller Scott Stringer wants ban on tourism helicopters, says they’re too noisy and don’t help the economy”](#) (July 2016)

Community Noise

[“Noisy Neighbors: turning up the volume against the uproar next door”](#) (January 2010)

[“Resident Complaints sink Hudson River Park Rock Concert”](#) (January 2013)

[“Noise is a top quality-of-life Complaint in New York City”](#) (January 2014)

[“Cops write fewer tickets for loud disturbances as complaints rise”](#) (July 2016)

See also the [NYC Noise Code Fact Sheet](#) in the Sound & Noise Education Module.

“Mister Softee May Fall Under Cone of Silence”



Date: June 8th, 2004

For nearly half a century, the Mister Softee jingle has been janglingly familiar: part music box, part merry-go-round and all kids-screaming-for-ice-cream summer mania. Love it or hate it, the city's new antinoise proposal, which could ban or restrict the jingle, strikes a high-pitched chord.

Just listen to this exchange yesterday in front of Public School 372, the Children's School in Brooklyn: "You hear that noise?" said Winsome Johnson, who has three daughters, as she winced and gestured toward a Mister Softee wagon. "Sometimes you just want a quiet time, and Mister Softee is making noise just like that."

Bourque Simmons, a singer passing by with her daughter, Kennebrew Taylor, 9, heard Ms. Johnson's criticism and shouted: "There's no music in these kids' lives anymore. You have to have some! It's real stupid of them to try to ban the jingle."

Ms. Johnson harrumphed.

"That's music?" she replied. "That is not music. It's a lot of noise!"

The people at Mister Softee could not disagree more. James Conway Jr., whose father and uncle founded the company in 1956 in Philadelphia, said the business would be hurt badly if the jingle could not be played on the streets of New York.

Of the 650 Mister Softee franchised trucks trolling neighborhoods in 15 states, 250 work the five boroughs of New York City. Most trucks start cruising around noon and do not return to Mister Softee operations depots, like the one on Carroll Street in Brooklyn, until 10 p.m. or later.

Drivers say they make most of their money between 6 p.m. and 9 p.m., when parents come home and can give their children the 75 cents to \$1.25 for a soft-serve cone.

"We're willing to work with the city on this, on some kind of compromise," said Mr. Conway, vice president of the company, which is based in Runnemede, N.J. "But we need the jingle. This is our livelihood, and we feel it's a New York institution."

For their part, city officials believe Mister Softee officials may be overreacting and, at the very least, failing to recognize that a substantial number of consumer complaints prompted the antinoise proposal.

Charles G. Sturcken, a spokesman for the Department of Environmental Protection, which enforces the city's noise code, said that in the month of May alone there were 243 noise complaints about ice cream vendors. Mr. Sturcken said he did not know how many had involved Mister Softee trucks.

Anthony Ramirez; NY Times



“Those ice cream truck jingles are keeping New Yorkers up at night”

Date: June 27th, 2016

The city isn't sweet on late-night ice cream truck jingles.

Vendors shouldn't be allowed to blast the dizzying ditties between 9 pm and 9 am, the Department of Environmental Protection said at a hearing Monday.

New Yorkers have lodged a brain-freezing 1,013 noise complaints about the trucks so far in 2016 — and summer has only just begun.

Despite hundreds of complaints, only one jingle-blasting jerk has been ticketed for playing music too loudly this year, city officials said.

“Something is not working when you have violations at such low of a level. C'mon only one? Give me a break!” said City Councilman Daniel Dromm (D-Queens), who introduced a bill to mute the tinkly tunes last year.

“Ice cream jingles are among the most annoying noises assaulting New Yorkers' ears every day.”

Micheal Hearst — who composed “Songs for Ice Cream Trucks,” used by vendors across the Big Apple — begs to differ.

“I love the sound of an ice cream truck jingle— it's nostalgic. I would vote for ban on Harley Davidson volume before ice cream truck jingles. It's unfair to single-out jingles,” Hearst, 43, said when asked about the bill.

Right now, it's hard for the city to issue summonses because inspectors have to catch vendors in the act. Officials are pushing to change that.

Dromm also wants to amend the city's noise code to give inspectors more leeway in issuing summonses. The law now allows jingles to be played at a low decibel level.

Residents— especially ones in the Bronx and Brooklyn — have griped for years that the music keeps them awake and jangles their nerves.

Hearst, a Brooklyn resident, even admitted, “It can be annoying hearing one song over and over.”

Rich Calder, Natalie O'Neill; NY Post

