



HSV PUBLIC SERVICE ANNOUNCEMENT – NOISE LEVELS

Description

By [Lloyd Sherman](#), April 11, 2021

You would think that with all the research and reading I have done over my time in Hot Springs Village, I would have some inkling of what the Village's stance was on noise levels. And I did have knowledge that we had adopted the Saline and Garland County ordinances on noise control. As is not uncommon with anything having to do with regulations or ordinances, I had no extent how far these noise issues went or how you would even find out about them unless you had a need to know. Mine was due to a visit from a police officer.

The Backstory – On March 22 we had a handyman and his crew working in our yard performing our spring cleanup and tree pruning. It was getting dark and they were still working. Craig came to the door and said that a police officer had stopped by and informed him that they were working past 5 PM and that they were in violation of the Noise Ordinance. I had no idea the police officer was here so I got the information second hand from Craig. When he told me why they had been told to stop, I said that can't be and that I had never heard of noise enforcement that early in the evening. So, the next day I reached out to the POA and asked where the documents were that supported the noise ordinances as I couldn't find them on our POA website. They were provided to me and both Saline and Garland County are attached for your reading pleasure. As I knew the POA had adopted these ordinances several years back, I knew the information Craig had heard wasn't accurate. And as I had recalled the ordinances they do address noise levels from 10:00 PM to 6:00 AM, which for an active lifestyle community, seems appropriate.

For those of you who follow the Police Report in the Voice may have noticed a report for March 22 that stated "A work crew on Pasillo Way was told it was working after hours at 7:54 p.m." That raised my curiosity as this now stated this was a "work crew" which sounded like they were being viewed as POA employees. I decided to reach out to Chief Middleton to see what I was missing, which I will address in a minute. I figured as I was reaching out, I also wanted to know who had filed the complaint, because I just knew none of my neighbors would do something like that and have would come to me directly if they had an issue. Wrong.

The Rest of the Story – So let’s finish up the Police Report portion before I get into the reason for my post. I went to the Police Department and received a copy of the 2-page report after I paid them \$6.00 for the report. So, my first surprise was there was a fee associated with this service. I don’t know why I was surprised but during the fee schedule process this last year, I don’t recall any discussion about fees for these types of services. I wonder if this post will stir the Future Funding Task Force to provide us yet another report on how costly it is to run the Village? But I digress. Chief Middleton and his staff were very accommodating and pleasant with following through with their duties and I thank them.

The two-page report has a Dispatch note that states at “19:24 hours contractors using chainsaws to cut down trees after hours.” I find this interesting as there was a diseased tree cut down several days before, but on this day they were using a gas pruning device to remove some limbs, etc. and not chain saws. That statement was on page one. Then on page two (labeled POA Violation) it continues to say: “On March 22, 2021 at approximately 1954 hrs. (Officer Musler) was dispatched to 7 Pasillo Way in reference to a policy violation. Dispatch advised of subjects working past POA work hours. Upon arrival, contact was made with Craig McCreary. McCreary was advised of the policy and stated he was unaware and immediately stopped working.” So you can imagine my confusion by this point, as Craig told me that the officer said it was a noise violation and it turns into a violation stating we have POA work hours that need to be followed.

Again, Chief Middleton was very helpful and here is what he sent to me and also attached is a document I had never heard of or seen: ” The attached document is from the Planning and Inspections new home packet with construction worksite rules. In his response to me to get clarification on exactly what the violation was and where it was documented, here is the information he provided:

“Also, the county ordinances states:

Unreasonably loud noises and disturbance of the peace; prohibited.

(a) The causing of any unreasonably loud and disturbing noises of such volume or duration as to be detrimental to the life or health of any individual, or to disturb the public peace and welfare is prohibited.

(b) In addition to the disturbances set forth in subsection (a), the following are specifically prohibited: the playing of any radio, stereo, music reproduction system or musical instruments in such manner or of such volume, particularly between the hours of 10:00 p.m. and 6:00 a.m., as to disturb the peace and quiet of residents; and sustained engine noises.

(c) It shall be unlawful for any persons, firm or corporation to allow barking, howling or other nuisance behavior. It shall be unlawful to keep on premises or allow to run at large any dog which by loud and frequent barking and howling shall disturb the peace and quiet of neighbors.

Under section (a) the time of day is not a requirement.”

Chief Middleton went on to say he would get with his officers and ensure they were stating the correct information.

Teaching Moment – Over the years, many of us have supported something akin to “Town Halls” where information can be shared with property owners as well as distributed via eBlasts. I believe even

the GM should be giving monthly presentations to the property owners on what is going on and what rules and regulations need to be followed. Our eBlasts are very boring and pretty much cover the same thing every week. Spice it up and add some “where’s the beef”. Property owners don’t know what they don’t know because they generally can’t find the information. Something of this nature should spur someone into the action of informing property owners and educating them on what rules or processes they should be following. There is not enough of that going on and those of us who wanted more communication continue to have to learn on a trial basis. There has to be a better way to open up communications with the property owners.

Noise Ordinance Garland County 0-05-19

[Noise-Ordinance-Garland-County-0-05-19](#)

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Construction Work Site Rules HSVPOA

[Construction-Work-Site-Rules-Hot-Springs-Village-POA](#)

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Ordinance No. 2008-19 HSV Noise Regs Saline County

[Ord.-No.-2008-19-HSV-Noise-Regs_Saline_County](#)

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