

Exploring New York City Noise in the News

Description:

In this lesson, students will read news articles about noise issues in New York City. Students will determine the major problems and stakeholders related to noise pollution in order to understand differing viewpoints. Students will ultimately propose a solution or compromise to the problem that addresses the concerns of each stakeholder.

Objectives:

- Increase awareness of the current noise issues in NYC and engage in classroom discussion regarding these issues
- Use inquiry-based techniques to review primary sources and identify stakeholders and problems
- Apply civics skills to propose solutions to mitigate noise pollution

Vocabulary:

Civics, noise abatement, noise pollution, stakeholder

Materials:

- “Research Topics & Sample Articles” reference sheet
- “Noise in the News” worksheet
- [NYC Noise Code Summary Guide](#)

Background Information:

Currently, noise complaints continue to be the number one quality of life issue for New York City residents. To get a holistic perspective regarding issues of noise pollution in New York City, it is important to understand the arguments of stakeholders. Stakeholders are individuals or groups with an interest or concern in a particular decision. When discussing noise pollution, stakeholders include

residents/community members, government workers, business owners, elected officials, students, and others. Stakeholders have their own perspective and argument. At times, the stakeholders’ arguments and solutions may conflict; therefore, some noise-related problems do not have a clear answer that will satisfy everyone involved. Instead, a compromise must be agreed upon that addresses each stakeholder’s concerns.

Method:

- Research and select several articles about city noise and/or noise complaints.
 - Attached to this lesson are two sample articles about the Mister Softee jingle.
 - Students can also research and find noise-related news articles on their own. Use credible websites such as Google Scholar and other online databases to find such articles.
- Allow students time to explore the [New York City Noise Code website](#) and the [NYC Noise Code Summary Guide](#).
- Have students annotate the noise regulations that they found surprising and the noise regulations that they expected to see.
 - 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 small groups and give each group copies of one of the selected articles. Students will read and take notes on the different perspectives and conflicts presented.
- Discuss the chosen articles, as a class or in groups.

- Identify the conflict and the stakeholder perspectives.
- Was a compromise required? Was it effective? If not, how would you establish a good compromise?
- Within each small group, students will role-play as the various stakeholders: complainant, source of noise, and NYC government officials. Students can also choose a specific NYC neighborhood to represent. Identify the perspectives and concerns of each of these stakeholders.
- After discussing amongst themselves, each group will develop a presentation or skit for their class. The project should include the conflict, the main arguments of each side, and a proposed solution.

Discussion:

- Who are the stakeholders that had opposing viewpoints? Why do you think they agree or disagree?
- Who are some other important stakeholders that may not be explicitly discussed in your article?
- How can you create a solution or compromise that best addresses noise concerns in New York City?
- If you were developing a New York City noise code, what would you include?
- If you were making a noise code for your school, what would it regulate? Who would the stakeholders be?

- How is a noise code developed? What process exists to create this type of legislation?

Extension:

- Have students research and read different noise-related articles.
 - Are there any similarities and differences between the arguments proposed by stakeholders in this article and the original article?
- Read [“Where New Yorkers Can’t Stand the Racket”](#) to learn more about noise complaints spatially in NYC. For more insight into this data, access the interactive map [here](#). Have students explore the tool to better understand noise complaints in their neighborhoods and around the rest of NYC.
 - What were some observations you made that surprised you?
 - Did you notice any patterns?
- Analyze [this visualization](#) done by artist Karl Sluis of noise complaints in Manhattan in 2012.
 - What are some places that have the most noise complaints and why?

NYC Department of Environmental Protection
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 For more information visit www.nyc.gov/dep

Research Topics & Sample Articles

Food Vendor, Restaurant, and Bar Noise

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

Story attached below (pg. 7)

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

[“To some a delightful diversion, to others a noisy nuisance”](#) (September 2018)

Story attached below (pg. 4-6)

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 [Webtrak](#), an interactive, real-time map of aircrafts 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)

[“Noisy Helicopters Back in NYC Skyline, Residents Complain of ‘Vibrating Apartments’”](#) (June 2022)

[“New York Rolling Out Noise Law, Listening Tech for Souped-Up Speedsters”](#) (February 2022)

- DEP is collaborating with NYU Center for Urban Science and Progress on their [Sounds of New York City \(SONYC\) project](#), which will work to help detect, identify, and locate sources of noise pollution. SONYC is doing this by creating a distributed network of sensors and computational tools to provide continuous monitoring to DEP for noise code enforcement and mitigation of unreasonable noise.

Community Noise

[“As Concerts Return to Stadium, So Do Noise Complaints”](#) (October 2014)

[“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 Summary Guide](#) in the Sound & Noise Education Module.

To some a delightful diversion, to others a noisy nuisance

Date: September 23rd, 2018

The roaring 1 train clanging along elevated tracks, booming car stereos, the humming, hissing Bx7 bus. These are some of the sounds pedestrians traversing West 231st Street and Broadway know quite well.

The Mister Softee jingle, however — that indelible tune of summer that for some evokes keen childhood memories — probably isn't the first thing that comes to mind.

But on warm days the truck's often there, on the southwest corner right next to the subway stairs, between lunchtime and suppertime. Yet, the music is all but impossible to hear, because the driver — who identifies himself as Victor Emmanuel — plays it at a volume even the sharpest listeners, amidst the din, might not notice without standing inches from the truck, ears perked.

Beloved by some, the famous jingle also apparently is the chagrin of many a Kingsbridge resident.

Parts of the neighborhood — including the Bailey and Fort Independence playgrounds, as well as Van Cortlandt Park South near Hillman, Saxon and Orloff avenues — are among the city's top areas for noise complaints about ice cream truck songs, according to a report from Localize.city, a website that analyzes neighborhood data.

Noise complaints

Kingsbridge residents filed 92 noise complaints to the city's environmental protection department over 37 days in the year leading up to July 30, putting the neighborhood third behind only Captain Tilly Park in Jamaica and the area around Union Square and Madison Square parks in Manhattan, said Amy Zimmer, Localize.city's head of content strategy.

In Kingsbridge, most complaints came — not surprisingly — during warmer months on weekend afternoons.

Complaints primarily clustered around parks and playgrounds. Drivers “know that the kids are there,” Zimmer said. “Once they hear that song, they'll ask for ice cream.”

The city's noise code prohibits food-vending vehicles from playing jingles while stationary. But enforcement can be difficult since trucks travel from neighborhood to neighborhood, so DEP works with the consumer affairs department to remind the vendors they license their responsibility under noise rules.

Still, lax enforcement remains a problem amidst a sea of noise complaints, where Mister Softee's jingle is just one of many, said Alan Fierstein, president of Manhattan-based noise consultancy Acoustilog.

“For sound like that, if it's plainly audible, the inspector can write a violation,” Fierstein said. “Stop it at the source.”

Emmanuel knows he's breaking the law by playing the jingle while parked, and he's happy to shut it off once someone complains. But he's far from alone.

On warm school days, an ice cream truck parked right outside her Van Cortlandt Park South office is a familiar sight to Christina Taylor, executive director of Friends of Van Cortlandt Park.

“It can be rather annoying,” Taylor said. “This year seemed better, but for the last few years, there were plenty of days where it played that song over and over for what felt like forever. I understand they play it to get kids’ attention, but it often made it impossible for me to concentrate on my work.”

Sara Kempton, who lives in the Amalgamated on Van Cortlandt Park South, said that although the music from her local Mister Softee truck isn’t particularly loud, the driver leaves it on the whole time he’s parked, even after attracting a line of customers.

... or heartwarming?

Emmanuel, meanwhile, claims he hasn’t been the source of too much ire, with only a couple of residents complaining to him about his truck’s music in the three months he’s been driving. Most residents he encounters, however, don’t seem to be too perturbed by the jingle. In fact, for quite a few, it elicits fond memories.

Aisha Ramos bought daughter Charlisse a rainbow sprinkled cone at Emmanuel’s truck last Friday. The jingle never irked her.

“I grew up with the music,” she said.

It’s not troublesome to Yonkers resident Sandy Victorio either. “When I hear it, it makes me want to get more.”

DEP has its own enforcement officers, but from time to time police from the

50th Precinct address ice cream truck-related noise complaints when they’re not tied up fighting other crime, Deputy Inspector Terence O’Toole said. But it’s also important to note most mobile ice cream vendors are like anybody else in Kingsbridge, O’Toole added — hard-working women and men hustling to make ends meet.

“Usually (the trucks) are operated by immigrant businessmen and women trying to provide for their own children,” he said. “When we encounter them, we ensure the licenses and permits are valid and that they are operating safely.

“There are some people in every precinct that hate the Mister Softee truck, for whatever reason,” O’Toole added. “I like them to park in a legal parking space and vend safely. However, sometimes they don’t follow that advice.”

Peter Bouziotis, Mister Softee’s Bronx distributor overseeing the company’s territories in the borough, urges his drivers to abide by city noise regulations — namely, don’t blare the jingle when the truck’s stopped. Ultimately, however, he can’t control what each of the company’s roughly 200 drivers do — including one found last weekend at West 238th Street near Bailey Avenue blasting the jingle while serving customers.

Keep it down

While the music box on Mister Softee trucks has a delay that can be set to prevent the jingle from playing constantly, there’s no mechanism to actually prevent it from playing when the truck stops.

All trucks are individually owned and franchised, said James Conway, Mister

Softee's vice president. While drivers aren't direct employees of the company, they're all made aware of the noise code.

Plenty of Mister Softee imitators also don't follow the rules, Bouziotis said, but his company still takes the blame, since residents often refer to any ice cream truck as "Mister Softee" since the brand is so well recognized.

But ultimately, the game is customer service, and the goal is to sell ice cream.

"We're not out there to upset our customers," Bouziotis said.

And that's certainly not Emmanuel's intention. He has big dreams of saving up for a truck of his own, eventually passing it on to his kids — a son, 21, who actually drives his own route, as well as a 17-year-old daughter about to start college.

"There's money in it," Emmanuel said, "if you're an owner."

Until then, he promises he'll turn down the volume if anyone's bothered.

"It's Mister Softee," Emmanuel said. "It's not like I'm blasting my music, like some kids blasting their stereos."

Zak Kostro, Riverdale Press

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

Date: June 27, 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.”

Michael 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

Name: _____ Date: _____

Noise in the News

Directions: A stakeholder is someone involved in, or impacted by, an issue. Make a list of all the stakeholders in the article that you read. Note their concerns and brainstorm possible solutions for the issue. Remember to look at the [NYC Noise Code Summary Guide](#) for help.

Title of Article: _____

Date of Published Article: _____

Stakeholder	Concern / Argument	Solution