

April 07, 2025
Senate Local Government & Housing Committee
SB26-098 / State & Local Noise Abatement Authority
OPPOSE: Rose Johnston, *El Paso Country*

Good afternoon, Madam Chair and committee members.

[slide 1] My name is Rose Johnston. I'm a 37-year homeowner in El Paso County, and I oppose SB26-098.

[slides 2-3] The bill *significantly* favors entertainment corporations and disfavors citizens by replacing statewide noise protections with a patchwork of local decisions.

[slides 4-5] We're told local governments should decide acceptable noise levels. But decisions made in Colorado Springs allowed noise to bleed across a 10 x 4.5 mile area, from the city into the county and beyond. Something similar happened in Salida, with disruptive noise routinely bleeding into homes. In both cases, it was locally-permitted noise without meaningful accountability.

We can all reasonably expect that SB26-0908 would lead to more—not fewer—situations like Colorado Springs and Salida.

[slide 6] In short, we can expect permit holders to maximize noise and residents to bear the physical, mental, and financial costs of uneven and unaccountable decisions.

[slide 7] Sadly, we can also expect that at both the state and the local level, the legal remedies for all citizens will be

- (a) inaccessible due to questions about legal standing and practical hurdles;
- (b) ineffective because a permitted level is a permitted level; there is nothing to enforce; &
- (c) illusory because there is no real-time protection.

[slide 8] If local control worked, we wouldn't be here. For two years, the citizens have

- (a) Attended citizen council meetings and town halls.
- (b) Reported noise at the city web site and by sending comments to the mayor.
- (c) Recorded real-time data with monitors attached to homes, cell phones, and heat maps.
- (d) Spent money on professional engineering reports and, yes, towards a lawsuit.
- (e) And more than a few have also sold or have their homes for sale.

Local I submit to you that two years of lived quantitative and qualitative experience for the citizens who have suffered real consequences should far outweigh a one-time survey that was paid for by a prominent for-profit business.

[slide 9] Please vote no on SB26-098.

Handout: Slides

SB26-098: Asking Residents to Bear the Costs of Commercial Noise

Rose Johnston
El Paso County

Vote NO



SB28-098: The Reality

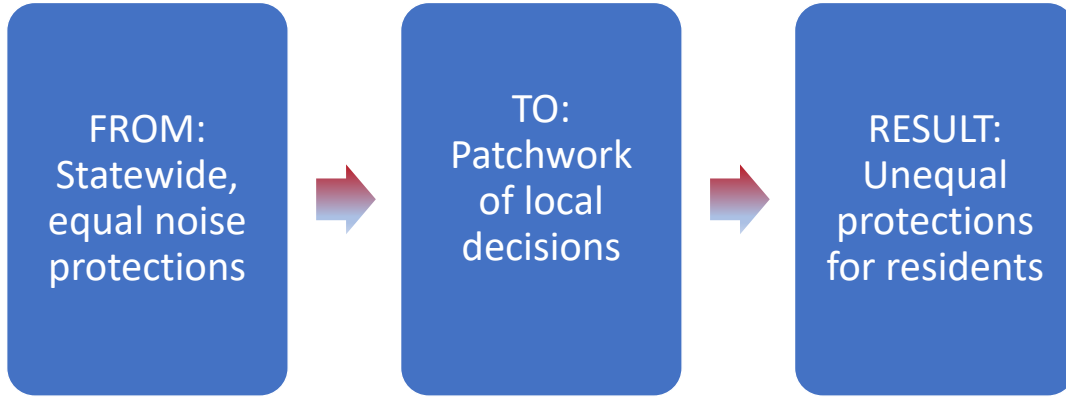
Local Control
means:

Permits FAVOR large
event corporations

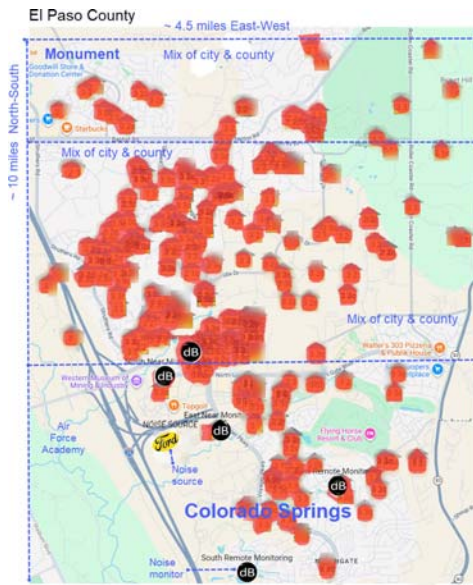
Impacts felt in bordering
municipalities

All residents lose
guaranteed minimum
protections

What SB26-098 Changes



Real-World #1: Colorado Springs – Unregulated Disturbance

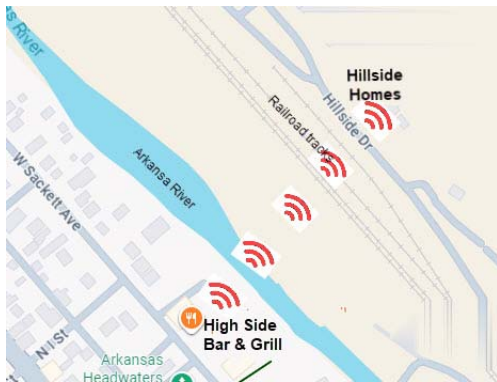


- Noise spread across a 10 x 4.5 mile area
- Crossed city boundaries
- Minimal monitoring
- No meaningful enforcement
- No violations ever recorded

Key points

- Noise travels. Authority does not.
- When permitted noise level is high, there is nothing to enforce.

Real-World #2: Salida – Escalation Without Accountability



- No required monitoring
- Complaint-logging only
- No formal enforcement
- No penalties

The Power Imbalance

Permit Holders

- Maximize
- Volume
 - Timing
 - Duration

Residents

- Bear the costs
- Physical,
 - Mental, and
 - Financial well-being

Bottom Line: One side controls the noise. The other is forced to live with it.

The Myths of Recourse

REMEDIES ARE

Inaccessible due to

- Jurisdiction (legal standing) and
- Practical hurdles (tight deadlines + significant legal costs).

Ineffective

- If a permitted level is high, there is nothing to enforce.

Illusory

- Noise continues; no real-time protection.

4/7/2026

Vote NO on SB26-098 / Rose Johnston / El Paso County

7

Years of Lived Experience vs. a Single Survey

Citizens: 2 Years

- City council meetings, town halls.
- City & mayor websites
- Real-time data with monitors, cell phones, & heat maps.
- Professional engineering reports.
- Selling their homes

Paid Survey: 1 Time

- Asks, "Do you support local control?"
- What did respondents truly know about how we got here?
- Disregards concerns about residents' investments in their homes & quality of life.

Bottom Line: Years of real lived experience should outweigh point-in-time paid surveys.

4/7/2026

Vote NO on SB26-098 / Rose Johnston / El Paso County

8

The Ask

If local control worked, we wouldn't be here.

Vote NO on SB26-098

Chairman and Members of the Committee:

My name is Jami Mark. I am a wife and mother living in northern Colorado Springs, more than two miles from the Ford Amphitheater.

I am asking you to vote NO on SB26-098.

I am not a policy expert. I am not here to cite court cases. I am here because something has been taken from my family that no law should allow to be taken -- the peaceful enjoyment of our own home.

Since the Ford Amphitheater opened, summer evenings in our neighborhood have changed completely. What used to be time in our backyard with our children is now a calculation: *is there a concert tonight, and if so, how loud will it be, and how late will it run?*

On multiple occasions I have had to send my children inside because the performances -- clearly audible from our yard at more than two miles away -- were profanity-laced and inappropriate. I should not have to make that call in my own backyard.

The noise comes through closed windows. It comes through walls. It disrupts bedtime. It disrupts family time. It is not an occasional inconvenience -- it is a regular intrusion into the most private space my family has.

What I cannot accept is that SB26-098 would make this permanent. It would remove the last legal protection families like mine have. The Colorado Supreme Court told us the law was on our side. This bill takes that away -- so a for-profit company can keep its revenue while we absorb the consequences in our homes.

My husband has detailed the financial harm this causes. I want you to understand the personal harm.

We did not move next to a concert venue. A concert venue moved next to us. We deserve to have our home back.

Please vote NO on SB26-098.

Chairman and Members of the Committee:

My name is Travis Mark. I live in the 80921 zip code in northern Colorado Springs, directly impacted by the Ford Amphitheater noise.

I am writing in **strong opposition to SB26-098**.

The Human Impact

My family has experienced relentless, invasive noise from the Ford Amphitheater since it opened. Concerts are audible inside our home with windows closed, well into the night disrupting sleep and our well-being.

On multiple occasions, I have had to send my children inside because profanity-laced lyrics or speaking from performers were clearly audible from our yard -- more than two miles away.

That is not a minor inconvenience. That is my family being unable to use our own property because of a private corporation's excessive noise.

The Financial Impact

SB26-098 will directly reduce the value of my home and thousands others.

A Colorado Springs realtor has stated homeowners near the Ford Amphitheater may suffer a 5% to 25% reduction in property value. Peer-reviewed research confirms residential properties exposed to 65 dB or greater of noise see a 14-18% drop in value (Walker, 2016, SSRN).

Residents near Ford Amphitheater have frequently documented noise of 60-77 dB(A). Under Colorado's mandatory disclosure law (C.R.S. 38-35.5-101), I must disclose this problem when I sell -- with no legal remedy.

SB26-098 forces thousands of Colorado Springs homeowners to absorb hundreds of millions of dollars in property value losses so a for-profit, publicly traded corporation can operate without noise limits. We bear the cost. They keep the revenue.

That is not local control -- it is the government transferring private losses onto homeowners for corporate benefit.

The Supreme Court Ruling

In 2025, the Colorado Supreme Court ruled 7-0 that the Noise Abatement Act protects residents like me. SB26-098 is a legislative reversal of that unanimous ruling. Changing the law mid-dispute to benefit a private corporation is unjust.

The Poll Is Misleading

Supporters cite a poll paid for by VENU that surveyed the entire city -- not the impacted neighborhoods.

The packed city hall meetings where hundreds of affected residents showed up unprompted tell a very different story.

No Limits

There is no cap on noise levels, frequency, or duration. Even bill co-sponsors called our concerns "*legitimate grievances*" and the noise "*exceedingly loud.*" If that is true, this bill should not pass as written.

I urge a NO vote on SB26-098.

Travis Mark

360 Doral Way

Colorado Springs, CO 80921

April 2, 2026

Hello Chair and Members of the Committee,

My name is Keri Dawn Solner, and I am a resident of Dillon, Colorado.

I am here in strong opposition to Senate Bill 26-098.

When a bill removes enforceable protections tied to public health and leaves residents without meaningful recourse, it raises serious concerns about alignment with the oath legislators take to uphold constitutional rights.

That oath is not to popularity, economics, or tourism. It is to *protect fundamental rights — including the quiet enjoyment of one's home, due process, and protection from government overreach.*

This bill replaces those protections with politics — where the most impacted residents will sadly never be the majority voice.

And this is not theoretical for my family.

Last summer, after 16 high-impact shows in just 23 days IN AUGUST ALONE — including multiple consecutive runs, at one point eight days in a row — we were forced to leave our home for our health.

We are music lovers. But what we experienced due to our government, was not reasonable.

Please watch these videos from our home with our children, up to 8 hours a day (show 4 hours, sound checks 2 to 4 hours) over 70% of *all* of our precious summer days, from our local, town run venue, the frequency of shows having doubled in the past few years: (sound on please)

- 1) <https://youtube.com/shorts/yLSF49K6vhc?si=S1qFfOe6BavUqAsf>
- 2) <https://www.youtube.com/shorts/NKQ1eOb2rww>
- 3) <https://www.youtube.com/shorts/ASpNT-4aA0E>
- 4) <https://www.youtube.com/shorts/B9WPkutSCzU>

Last summer, after 16 high-impact shows in just 23 days — including multiple consecutive runs (once 8 days in a row) and double headers (STS9, Rainbow Kitten Surprise, all two nights in a row)— we, as music lovers, were literally forced to leave our home for our health. The sound was not just disruptive, it was unhealthy, torture, truly. It was often 96 db (chainsaw) or more on our porch, and 85 + in our homes with double paned Anderson windows (loud lawnmower levels).

This is not typical noise. It is low-frequency sound and vibration that travels through walls, into bedrooms, and into the body. Things move on counters. Dishes in sink as you see in the video. It disrupts sleep, elevates stress, and makes normal life inside the home impossible. You can't

escape it in any room in your home, the bathroom fan shakes, and we had to get coworking space. The kids were exhausted.

Our children were exposed to both the volume and the content of concerts we could not shield them from. 85 to 95 db is damaging, particularly for children, at 75 minutes, in our HOMES.

For eight months, we have worked in good faith with the town. We have attended meetings, making public comment, sharing the videos below, provided input, doing open records requests, and asking for reasonable mitigation. As a former venue manager who has dealt with sound issues, I engaged multiple experts who work in outdoor amplified sound mitigation across the country, who wrote to the town with solutions and common practices (key among them hiring an independent acoustic engineers to do testing and also to provide modern day, sound mitigation solutions. They have been unequivocal: what is happening in Dillon is not consistent with industry standards, and there are many avenues to help the neighbors and keep the music going.

Modern sound practices can reduce low-frequency bass — the very frequencies that cause structural vibration in homes — and can limit how clearly lyrics carry into nearby residences.

Yet, after all our efforts, like a part time job, nothing meaningful has been implemented, and we are being told nothing will change this summer. Now we hear about this bill and we are terrified. This is the last outpost of guardrails for situations like ours.

A quick sound lesson, since a sound bill is on your desk. Please stick with us.

Mitigation also requires measuring the right things and setting limits on the right things.

Most standards rely on A-weighted decibels, or dBA, which reflect what the human ear hears — primarily mid-range sound like speech. This is flawed for the modern day.

But today's high-powered concerts, with significant systems and modern tastes, produce significant low-frequency energy — bass — which A-weighting does not capture.

That is why measuring C-weighted decibels, or dBC, are critical for neighborhoods and high impact shows. C Weighted measures low-frequency sound — the component that causes vibration, pressure, and deep intrusion into homes.

Without C-weighted limits, the most harmful part of the sound is effectively unregulated.

Yet Dillon has no maximum decibel limits — A or C weighted — **TOWN CODE HAS EXPLICITLY EXEMPTED THE AMPHITHEATER FROM ANY MAXIMUM DECIBEL LIMIT (A OR C)** and no independent acoustic testing has ever been conducted at nearby homes, some within 60 feet.

We have asked. We have offered our homes for testing. We have shared solutions.

But without enforceable standards, there is no requirement to act. Even enforcing the Colorado Noise Abatement Act is not easy, but we are in process with the refusal of the local officials to do anything. Now we hear about this bill and we are terrified. This is the last outpost of guardrails for situations like ours.

According to the experts, mitigation is not just about volume — it is also about frequency and duration.

Spacing shows out, avoiding consecutive days, and allowing recovery time are widely recognized practices. Sixteen shows in twenty-three days — or eight consecutive days — is not mitigation. It is excessive.

And this is the core issue with this bill.

It removes guardrails and shifts the burden entirely onto residents — forcing them into political processes where they cannot realistically prevail. Moreover, if you all pass this, it will be very difficult to go backwards, trust us. Public opinion on live music far outweighs the realistic need of neighbors. No legislator will want to do it. I have video of these sessions when people find out that neighbors want mitigation for their health, many people will show up and say they care, but en mass, espouse that the benefits are greater to the community. It will be very difficult for legislators to do this, again this bill is flawed and focuses on POLITICS and not RIGHTS. Ask Michael Hobbs in Salida. The poor man told the town numerous times the neighbors were fine with 30 shows a summer but not the excessive 80 (permits given to the for profit venue for the town). The town did not want to find win win solutions and he eventually sued. He won thanks to the Colorado Noise Abatement act backing up his constitutional rights against a for profit business. But sadly there are bumper stickers all over Salida saying ‘don’t be like HOBBS’.

Will our representatives please not do that to us for our homes? Also, and again, when how flawed and uneducated this bill is becomes apparent, it will be extremely difficult for our representatives, you all, to go backwards against music too. It is unpopular, but this bill makes it a popularity contest which is a lose lose if you are impacted.

I also cannot help but see this as a playbook for private promoters, which now, in this bill, can do whatever they want if local council allows/ permits it. In the COLORADO Noise Abatement Act, exemptions were only for town run, community non profit events (don’t get us started on this, this is what Dillon thinks it is). In this bill on your desks, it also exempts FOR PROFITS too. It exempts EVERYONE FROM ANY DECIBLE LIMITS, your local town council will decide. Good luck. It used to be you could not do this to Colorado families (at least) for PROFIT. With this bill one would be able to.

When government creates ongoing physical intrusion into private homes, it has a responsibility to regulate it. How does this bill protect Coloradoans? It doesn’t. How is this bill listed under PUBLIC HEALTH?

Without that protection, residents are left without meaningful protection of their homes or their health.

I respectfully urge you to flat out reject this bill, or at a minimum, amend it to:

- Require enforceable, objective sound standards, including both A-weighted and C-weighted measurements
- Require independent acoustic testing at nearby residences within 5000 feet
- And ensure protections, spacing, end times for disproportionately impacted residents

This may seem like a small policy decision, but for families like mine, it is not. It is OUR HOME, the center of our lives. It is our health. And it is our ability to live in peace, at least most of the time.

Good governance requires balance — between economic activity and public health, between community benefit and individual rights.

This bill moves too far away from that balance.

Thank you for your time and consideration.

Keri Dawn Solner & Neighbors of the Dillon Amphitheater



Here is a blurb about Don Pitts on of the professionals who works all over the world to promote music and responsible sound. He is available for your consultation at don@soundmusiccities.com we are sharing his and other contacts with the press as well.

Don Pitts is the Founder of Sound Music Cities and a former City of Austin official who led the Music & Entertainment Division. During his time with the City, he led initiatives that reduced entertainment-related sound complaints by over 75% without requiring additional resources. **He was named one of the 26 most influential people in music by SPIN Magazine for 2026.** He now works with cities across the U.S. on music ecosystem strategy and entertainment sound management, helping communities balance a thriving live music environment with neighborhood compatibility. His work focuses on practical, data-informed approaches that improve coordination, clarity, and outcomes for both city staff and stakeholders.

“In many ways, the use of sound, especially outdoor amplified sound, represents a social contract between establishments and their neighbors...Successful interactions are much more about balance and harmony than they are about any specific penalty or punishment. It certainly isn’t about one side or another “winning” and argument or dispute.”

1. Where Low-End Problems Show Up (Simple Framing)

Frequency Area	What People Experience	Typical Complaint
Very Low (≈31.5 Hz)	Felt in chest, walls, windows; travels far	“I can feel it in my house even with windows closed”
Low (≈63 Hz)	Audible bass that lingers and carries	“The bass is constant and won’t go away”
Upper Low (≈125 Hz)	Punchy, more musical but still travels	“It’s loud and thumpy, especially at night”

2. Common Ways Cities & Events Manage Low-End

Approach	How It Works	Example Use
Octave Band Monitoring (31.5 / 63 / 125 Hz)	Tracks specific low-frequency bands instead of relying on A-weighting	Used in UK concert guidance and some U.S. event sound plans
C-Weighted or Low-Frequency Limits	Captures bass energy better than A-weighting	Often added for festivals or outdoor events

Approach	How It Works	Example Use
Time-Averaged Limits (Leq over 10–15 min)	Smooths peaks and focuses on sustained bass	Common for concerts vs. instantaneous limits
Measurement at Distance (off-site or buffer zone)	Evaluates impact where people actually experience it	Residential property line or nearby neighborhood
Source-Based Reference Points (e.g., ~150 ft)	Gives operators a consistent control point during the event	Used operationally for real-time adjustments

3. “Illustrative examples of low-frequency management ranges used in event sound planning.

Octave Band Example Range Why It’s Used

31.5 Hz	~60–70 dB (Leq)	Helps control felt bass / vibration before it travels
63 Hz	~65–75 dB (Leq)	Targets the most common annoyance range
125 Hz	~70–80 dB (Leq)	Maintains musical quality while limiting buildup

4. On-the-Ground Tools That Actually Reduce Bass Complaints

Tool / Practice	What It Does	Why It Matters
Directional (Cardioid) Subwoofers	Pushes bass forward, reduces rear spill	Keeps low-end out of neighborhoods behind stage
Stage & Speaker Orientation	Points system away from sensitive areas	Often the biggest impact with no cost increase
Subwoofer Placement & Spacing	Controls how bass waves combine and travel	Can reduce long-distance propagation
Real-Time Monitoring (Octave Band or C-weighted)	Lets engineers adjust during the show	Prevents issues instead of reacting to complaints
Sound Check & Tuning for Low-End	Reduces problematic frequencies before doors open	Avoids “set it and forget it” mistakes

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: Camden Hamlin**

As a Denver resident and a CU Boulder alum, I'm writing today as someone who loves live music and who wants to make sure it stays a part of life in Colorado.

My fiancé and I love going to concerts, whether they're at small, neighborhood bars or big outdoor shows — we love it all. Live music is how we spend our best weekends, how we explore new and old neighborhoods across Denver, and how we connect with our friends and our city. It's truly one of the biggest reasons we love living here.

When I heard about the Colorado Supreme Court's so-called Hobbs ruling and what it means for local venues, it genuinely concerned me. The last thing Colorado needs is for cities and towns to lose the ability to work with the venues, small businesses, bars, restaurants, and event organizers that keep our neighborhoods alive. Local governments know their communities.

They should be able to sit down with a venue owner on South Broadway or in RiNo or in a mountain town and figure out what works. It would be an incredible disservice for not just large venue owners, but for musicians and artists, along with those who work for hotels, bars, breweries, art galleries, pop-up events and more to be hamstrung by a court ruling that takes that flexibility away.

SB 26-098 gives that authority back where it belongs. I'm asking you to vote YES — for the venues, for the neighborhoods, and for Colorado.

Hello Chair and Members of the Committee,

We are Philip and Beth Burrigh, and we own a home at Lake Cliffe Condominiums located in Dillon, Colorado.

We are writing regarding our sincere concern about Senate Bill 26-098 (the “Bill”). Our interpretation of this Bill is that it removes the already limited mechanisms residents have in seeking reasonable protections regarding noise levels and other public nuisances related to - in our case - the amphitheater located directly across the street from our home. The Bill replaces **objective** standards with a system where the majority benefits — and the directly impacted minority has no recourse.

We are writing today in deep **opposition** to this Bill because it removes meaningful regulatory protections for the health and well-being of residents and makes it harder for them to assert their constitutional right to the peaceful enjoyment of their home. This bill replaces these public health rights with a system that relies far too heavily on local political dynamics. Those affected are disproportionately impacted and will never be a dominant voting force. It effectively blocks homeowners from contesting unreasonable sound volumes from a governmentally owned music venue. If this Bill passes, as owners, the Town of Dillon (“TOD”) becomes the judge, jury, and executioner – with no recourse – appeal or otherwise for us. Under this Bill, there is no reason for a governmentally owned music venue to consider small number of highly impacted tax paying homeowners if it is at the expense of lost amphitheater revenue!

When clear standards and enforceable limits are absent, decisions default to a *popularity* contest—where outcomes are driven by broader public interest or economic pressures, not by the people who are most directly and disproportionately impacted. Recently we attended a TOD council meeting, and several people provided comments regarding the noise levels and how those levels should not be a concern. Interestingly, a vast majority of these people did not even reside in the TOD! They could choose what concert to attend and live in their homes with full knowledge and comfort that loud or profane music would not be a concern.

Without clear guardrails, there is no effective path for relief. The people most affected are the least able to influence the outcome.

This Bill risks reinforcing that imbalance across Colorado—removing accountability while increasing the burden on residents to navigate political processes instead of relying on **objective** standards. We have made efforts to propose logical, measurable solutions to the TOD. Lake Cliffe homeowners spoke with multiple acoustic engineers who have done this work out of state, and they are genuinely concerned by what the TOD allows. These engineers have stated that the town is negligent in never testing sound levels from nearby residences. Moreover, there are solutions which we have shared with the town including directionalizing speakers, swapping lower frequencies used in modern sound codes, and limiting high impact shows. So far, our pleas have been essentially dismissed. Our request for a third-party sound engineer to provide noise level reports was not even considered relevant for council board vote!

Last summer there were sixteen high impact shows in 23 days. During this tsunami of concerts, we could not enjoy visiting with friends on our deck. We moved inside and were forced to apologize to our visiting friends for the loudness and profanity coming from the nearby amphitheater. It is important to note, that we have owned at lake Cliffe for more than 30 years – well before the amphitheater was significantly renovated with a larger stage and upgraded speakers. In our opinion, the recent

extraordinary emphasis on booking as many concerts as possible is causation of the completely unreasonable number of absurd loud music concerts!

Sound is a form of torture for a reason, not to mention the levels allowed inside our homes are simply unacceptable to any homeowner. Children are exposed to levels and lyrics that cannot be prevented - even relocating them to back bedrooms. Lyrics are protected by artistry freedom, but what of our freedom to live in reasonable peace in our home? Owners at Lake Cliffe have gone to every council meeting for 8 months and the TOD officials have offered no mitigation promises, much less suggestions. This Bill encourages and supports this behavior.

This Bill is clearly a playbook for promoters and will be exceedingly difficult to undue if passed. This is committee is ostensibly about public health which is why we are wondering why this bill can even be considered "public health."

Question - Have you all consulted with an acoustic engineer regarding this very health effecting Bill? These are high impact shows, often double headers for a small town of 1000. What avenues are available to homeowners for legal recourse if the local officials do nothing. Good governance requires both local flexibility and clear protection. This bill moves too far away from that balance.

We urge you to consider amendments that:

- A) Restore enforceable standards - c weighted decibel limits (modern sound codes focus on all frequencies not just A weighted, dbA because heavy bass is not even measured. C weighted and heavy bass measures typically cause the most impact)
- B) Always include measuring A and C weighted in nearby homes. Require a neutral acoustic engineer to do testing to find acceptable decibel levels that do not shake windows and refrigerators and recommend reasonable frequencies.
- C) Protect disproportionately impacted residents knowing they will never win or afford to challenge the deep pockets of governmentally owned music venues (for this reason alone, the Bill should be struck from consideration). Homeowners in a jurisdiction such as the TOD will never be able to elect government officials when music lover voters - whose lives are not directly affected by the noise- can continue to vote in officials to continue the noisy concerts.

Although these amendments would make the Bill more palatable, **we are adamant that this Bill should be completely rejected and let governmentally owned music venues collaborate with affected homeowners for win-win solutions - not provide a legal shield for total impunity.**

Thank you for your time and attention to this matter.

Philip and Beth Burright

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: DNA Picasso**

My name is DNA Picasso. I am a recording artist, songwriter, and co-founder of the Colorado Music Industry Alliance. I am here today to speak in strong support of SB 26-098.

I have built my entire career in Colorado. I have performed at festivals like FoCoMX, the Underground Music Showcase, Boulder Roots Festival, and the Juneteenth Music Festival. I have played venues including Cervantes, the Bluebird Theater, Larimer Lounge, the Marquis, Summit, the Gothic Theatre, the Fox Theatre, the Black Sheep, and many more. Every one of those stages exists because a venue had the legal footing to operate, to negotiate with its neighbors, and to open its doors. That is exactly what the Hobbs ruling has put in jeopardy.

The Colorado Supreme Court's ruling in *Hobbs v. City of Salida* didn't just create a legal problem for one venue in one town. It sent a shockwave through the entire industry. When the agreements that venues rely on become legally ambiguous, bookings get canceled, programming gets pulled, and artists lose work. That is already happening. And for independent artists like me — artists without major label backing or national tour support — local venues aren't just convenient. They are essential.

In 2025, I was selected by the Recording Academy to participate in the Grammy-U mentorship program and received the MSU Denver Next Wave Leadership Award from the Colorado Business Committee for the Arts. I share that not to impress anyone, but to make a point: Colorado is producing world-class artists. We are not a flyover state for music anymore. SB 26-098 is about making sure the infrastructure keeps pace with the talent. It gives local governments the authority to issue noise permits and create collaborative agreements that let venues operate, artists perform, and communities thrive — without stripping anyone of their rights.

I make art that fosters change, and I work to make changes that foster art. This bill does both. I ask the committee to pass SB 26-098 and keep Colorado's creative economy open for business.

Thank you.

To: meg.froelich.house@coleg.gov

Cc: rebekah.stewart.house@coleg.gov; dan.graeve@coleg.gov

SUBJ: Vote Yes on SB 26-098

April 7, 2026

The Honorable Meg Froelich
Colorado House of Representatives
200 E. Colfax Avenue
Denver, CO 80203

Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:

Music is a cultural treasure in Southern Colorado, and local small businesses that hire local musicians deserve our support.

I served six years in the Colorado House representing District 62, one of the largest and most rural districts in the state. From Alamosa to Conejos to the San Luis Valley, the communities I represented had little in common with Denver or the Front Range. What they did have was a deep, practical understanding of what it means to govern locally. Specifically, to trust the people closest to a problem to solve it, because no one in the state capitol could possibly know their roads, their water, their businesses, and their neighborhoods the way they do.

That principle is exactly what Senate Bill 26-098 is about. The *Hobbs vs. City of Salida* ruling did not merely create a legal problem for venues and musicians, but it stripped authority from the local officials best positioned to exercise it. Mayors, council members, and county commissioners who know their communities, answer to their neighbors, and have spent years building the relationships that make local governance work. Stripping that authority does not make communities safer or better governed. It just makes them more dependent on a state government that is too far away to understand what they need.

I have always believed that local Colorado towns deserve the tools to govern themselves— especially when it comes to music, which is a cultural treasure in South Colorado. SB 26-098 is consistent with that belief, and it has earned broad, bipartisan support precisely because **local control is not a partisan value. It is a Colorado value.** I hope my former colleagues will pass this bill and return to Colorado's communities the authority that was never theirs to lose.

Respectfully,

Donald Valdez
Post Office Box 110
La Jara, Colorado 81140

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: Evan Newhouse**

I'm writing today as a Colorado native – raised in Broomfield, who went to CU Boulder, and have spent my career working in the utilities sector here in Colorado – for one of the first times I've ever written to my representatives in the Colorado Statehouse. I'm writing as a constituent with a lifelong investment in this state's music and cultural scene to ask you to support SB 26-098.

I've been going to Red Rocks and venues across Colorado my whole life. What I've noticed in recent years is how the regulatory environment around live music has quietly eroded the experience, affecting how venues program and how audiences experience live music. I was frustrated to learn about a Colorado Supreme Court decision last year which the issue worse by removing the local flexibility that allows Colorado communities and venues to work through those tradeoffs together.

There isn't a person in Denver who doesn't know, and probably love, Red Rocks. They know its geography, its neighbors, its history, and the role it plays in Colorado's identity. Denver knows its own neighborhoods. But the flexibility that Red Rocks gets to operate by should also apply to local, privately owned venues as well.

I'm proud that our state is attracting more music venues and business leaders invested in live music. And it's important that our local laws and regulations encourage that continued economic and cultural development and investment. Unfortunately, the current policy is flawed. A statewide standard applied uniformly across every community in Colorado cannot account for the fact that what works in a mountain amphitheater is going to be completely different from what works in an urban neighborhood bar or a festival in a city park.

SB 26-098 is a targeted fix that restores local authority and lets communities make decisions that actually fit. I urge you to vote YES on this bill. Thank you for your consideration.

Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: Garrett Neilsen

I am writing today as a Colorado resident, Aspen homeowner, and music enthusiast to ask that the Colorado House of Representatives support SB 26-098.

Outdoor entertainment, live music, breweries, and local festivals are not amenities in mountain towns – they are part of our foundation. They're part of what makes me proud to call Colorado home, and what make us proud to bring family, friends, and loved ones up to the Rockies. Staple venues like Belly Up in Aspen are known across the country and draw visitors that boost our economy and give locals a reason to gather year-round.

What's more, local venues, live music, and live entertainment provide downstream benefits to nearly every business in our communities – the breweries hosting a band for live music early in the evenings, our local bars, and the renowned restaurants and kitchens that round out the experience when you're going to a local show.

As a thoughtful neighbor who cares about my community, I also appreciate that SB 26-098 doesn't eliminate noise protections. That's common sense. I think it's important that we give our local towns, counties, and governments the authority to design, craft, and issue the necessary permits to local businesses that we know well in our community. Local control here doesn't mean no rules. It means the rules are set by the communities and leaders closest to local businesses and to the residents affected in their ecosystems.

Colorado needs a flexible policy when it comes to local noise agreements and keeping our local businesses open for business. What's appropriate in Aspen is different from what's appropriate in Denver, and this bill gives different communities across Colorado the ability to decide what's right for them. I urge you to support SB 26-098.

Thank you.

WHAT VENU TOLD RESIDENTS & THE CITY : 47 dBA

SOUND & BUFFERING

Noise Ordinance Levels (Section 9.8.101)

Zone	7:00 A.M. To Next 7:00P.M.	7:00 P.M. To Next 7:00 A.M.
Residential	55 dB(A)	50 dB(A)
Commercial	60 dB(A)	55 dB(A)
Light Industrial	70 dB(A)	65 dB(A)
Industrial	80 dB(A)	75 dB(A)

Sound Level with Mitigation and No Additional Operational Controls

Estimate	Decibels, dB at Octave Band Center Frequency, Hz								Overall
	63	125	250	500	1k	2k	4k	8k	
FOH Mix Position	109	104	99	94	94	94	89	89	100dB(A)
NE Residence, No Mitigation	78	73	67	60	58	54	34	0	64dB(A)
NE Residence, w/ Electroacoustic Mitigation	77	72	64	56	50	43	24	0	61dB(A)
NE Residence, w/ Cumulative Electroacoustic and Physical Mitigation	66	60	49	39	31	21	0	0	47dB(A)

WHAT WE GOT : 50-78 dBA OPENING WEEKEND

on Aug. 10 at 9:56 p.m., city data show.

In city measurements outside the Ford Amphitheater, sound levels reached no higher than 78 decibels over the opening weekend.

Sound levels measured by the city around 8:15 p.m. on Aug. 10 from the front driveway of a home on Rockbridge Circle, about 1½ miles from the facility, ranged between 50 decibels and 78 decibels over a three-minute period, data show.

Source : CS Gazette

LAST SHOW OF 2024

2024 Concert Sound Level Measurements
Ford Amphitheater – Colorado Springs

Table 5-2. Measured Community Sound Levels (Godsmack)

Measurement Location	Location Description	Measurement Start Time	Overall level (dBA)	Audibility
M1	Wicked Think Marketing	19:15:34	60	Concert audible, traffic present on Northgate
M2	125 Coyote Willow Drive	23:43:47	56	Concert very audible, some traffic noise present, 2nd band starts at 7:42
M3	411 Fox Run Circle, at driveway	20:05:43	57	Concert very audible, clear, bass, drums
M4	411 Fox Run Circle, by house	20:12:27	59	Noticeably louder due to concert
M5	Wicked Think Marketing	20:42:46	58	Concert audible, traffic present
M6	125 Coyote Willow Drive	20:52:17	49	Concert audible, some traffic
M7	411 Fox Run Circle	21:07:29	59	Concert audible, seems louder at this location
M8	Voyager Parkway and Serenity Park Drive	19:19:13	62	Concert less audible but present
M9	1102 Crystal Basin Drive	19:39:54	53	Concert clearly audible
M10	785 Diamond Rim Drive	19:53:02	57	Concert clearly audible
M11	13046 Canyons Edge Drive	20:30:32	50	Concert clearly audible
M12	725 Diamond Rim Drive	20:45:05	52	Concert clearly audible

CITY CONSULTANT - HANKARD

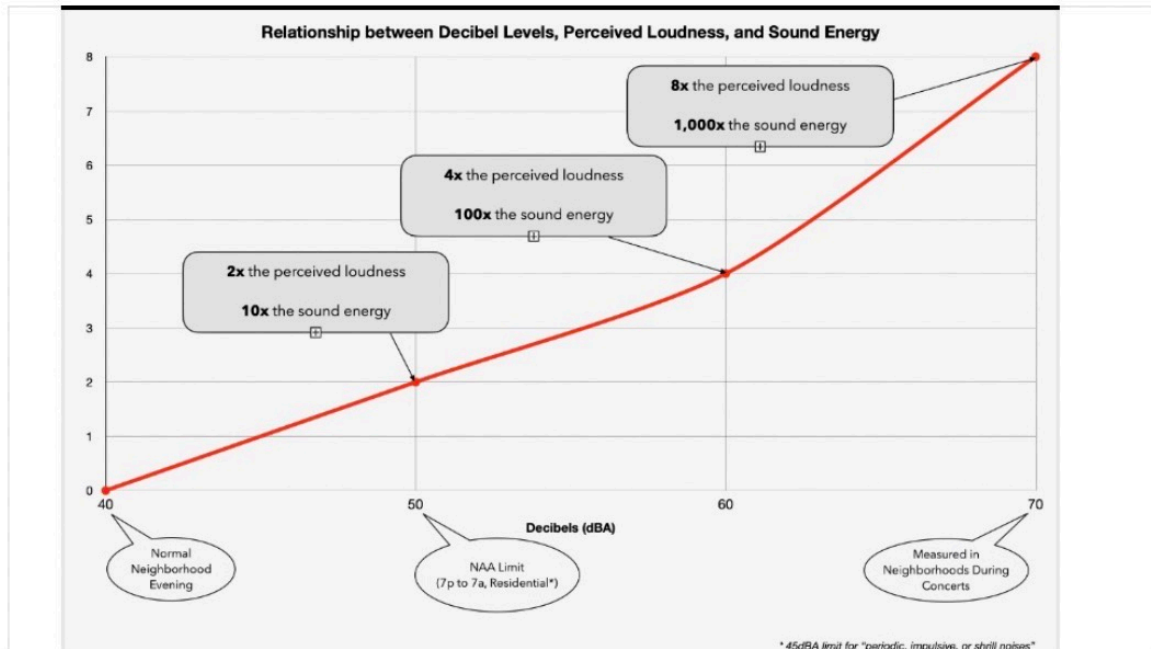
ENVIRONMENTAL ENGINEERING

5 minute averages of 49-62 dBA .

Real time levels are +/- 10 dBA ;

So, real time levels up to 70's dBA

THE dBA SOUND LEVEL METRIC IS LOGARITHMIC



A 3 dBA change is 2 x the sound energy & perceptible .

A 6 dBA change is 4x the sound energy & is clearly perceptible.

A 10 dBA change is 10 x the sound energy & is generally 2x the perceived loudness.

A 20 dBA change is 100 x the sound energy & is generally 4x the perceived loudness .

Testimony of Jamie L. Banks, PhD to the Colorado House Transportation, Housing & Local Government Committee

In Opposition to SB26-098 (A Bill for an Act Concerning the Applicability of Certain Noise Abatement Provisions, and, in Connection Therewith, Reestablishing Local Authority with Respect to Noise Abatement)

April 7, 2026

To the Chair and Members of the Committee:

Thank you for the opportunity to submit this testimony regarding SB26-098 to re-establish local authority for noise pollution. I am a health and environmental scientist and founder and president of Quiet Communities (QC), an independent national nonprofit (501c3) organization working to reduce harm from noise and related pollution. QC is a coalition of medical, scientific, and legal professionals who have worked for over a decade on the public health and environmental impacts of excessive noise, in the absence of effective federal noise legislation.

I am submitting this testimony to oppose Bill SB26-098 which puts private interests ahead of public welfare, and which demonstrates a lack of understanding of the nature of environmental noise and its serious impacts on both human health and fragile ecosystems. In short, noise is a serious public health and environmental problem that is poorly understood and cannot be effectively regulated at the local level.

Communities are in Distress

QC receives hundreds of requests each year from people adversely affected by noise from sources including road, rail, and air transportation, as well as modified vehicles, lawn and garden equipment, construction equipment, industrial manufacturing, data centers/cryptomining operations, mining, entertainment and sports venues, residential noise, and alarm noise (see examples in **Appendix A**). We are acutely aware of the suffering of people who are chronically affected by noise and who are getting no relief from local, state, and federal agencies. Affected residents report interference with indoor and outdoor activities, including communication, work, learning, social, recreational, and leisure activities. One has only to learn about situations like Granbury, TX ([Time Magazine article](#) and [related video](#)), Hope, AR ([The NY Times, Feb 3, 2024](#)), and others ([The NY Times, June 9, 2023](#); [The LA Times, December 27, 2022](#)) to understand what can happen when regulations are put into the hands of local governments and oftentimes, state governments. And, these are just a few examples.

The result has been a growing number of people whose health and quality of life are deteriorating, who have had to move out of their homes and communities, and/or who are being forced to bring lawsuits against the offending sources and local governments because of the absence or ineffectiveness of local noise regulations and their enforcement.

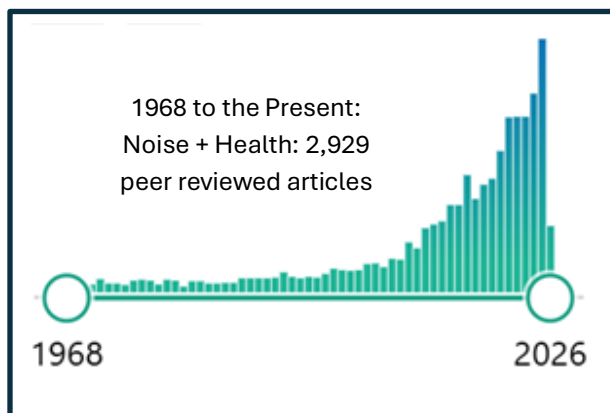
Environmental Noise Does Not Respect Boundaries

Many environmental noise sources, e.g., ventilation systems, diesel generators, idling locomotives, heavy trucks, modified vehicles, nightclub and concert music, contain prominent low frequency and/or tonal components. Low frequency noise travels long distances, is poorly attenuated by air,

ground, and water, and readily penetrates walls, windows, and building structures. It is notoriously difficult to mitigate, going up and around noise barriers, and may be heard several miles away across municipal and county boundaries affecting hundreds or even thousands of households.

Noise is a Serious Public Health Problem

Noise is not just an annoyance or a nuisance. It is a serious public health problem, first declared in 1968 by US Surgeon General William Stewart recognizing its auditory and non-auditory health impacts (cardiovascular, metabolic, respiratory). Since that time, the science on noise and health has advanced substantially with **more than 2,800** peer-reviewed articles published, most within the last 10 years. Examples of those articles are shown in **Appendix B**.



Chronic exposure to continuous, loud and even low-level noise is a widely recognized source of auditory stress causing hearing damage (e.g., hearing loss, tinnitus) and psychophysiological stress causing or contributing to cardiovascular diseases, metabolic diseases, stroke, mental health problems (e.g., anxiety, depression), and neurodegenerative diseases like Alzheimer’s dementia (see statements from the US Centers for Disease Control [CDC] and World Health Organization [WHO] below). Imaging studies have enabled visualization of how noise evokes the body’s stress response and leads to damage of heart structure and function. The harmful effects are known to occur even after short-term noise exposure and are exacerbated when noise is repeated.

Continual exposure to noise can cause stress, anxiety, depression, high blood pressure, heart disease, and many other health problems.

Excessive noise seriously harms human health and interferes with people’s daily activities at school, at work, at home and during leisure time. It can disturb sleep, cause cardiovascular and psychophysiological effects, reduce performance and provoke annoyance responses and changes in social behaviour.

World Health Organization

Groups especially vulnerable to the effects of noise include individuals with pre-existing cardiovascular, psychiatric, and neurological disorders (e.g., autism) diseases, seniors, veterans with PTSD, and infants and children. **Nighttime noise is especially harmful because of sleep disruption and diminished well-being.**

Studies also show that noise has a detrimental effect on children's learning and concentration, interfering with cognition, contributing to behavior problems, and reducing achievement and productivity.

The health of 146 million Americans is estimated to be at cardiovascular risk from chronic noise exposure.

Policies, position statements, and guidelines identifying noise as a public health hazard have been issued by the American College of Cardiology, the American Heart Association, American Public Health Association, American Academy of Pediatrics, American Academy of Nursing, European Society of Cardiology, World Health Organization (WHO), and World Heart Federation.

Low Frequency Components, Tonal Components, and Secondary Stressors Exacerbate Adverse Effects

Low frequency noise, characteristic of many sources of environmental noise, is a well-established risk to human health, especially when exposure is chronic or regularly repeated. It has a greater negative impact on annoyance, sleep disturbance, and nonauditory health and is especially harmful to non-auditory health compared with higher frequency noise. Low-frequency noise, especially when fluctuating, causes significant disturbance — including sleep disruption and sustained physiological stress responses — at sound levels that appear moderate based on the (inappropriate) dBA metric. Certain low frequencies can cause vibration of structural elements, such as walls and windows, and even within the body.

Noise-Related Secondary Stressors Affect Health and Well-Being

The direct effects of noise on activities -- sleep disruption, interference with daily activities – social, family, work, leisure, and enjoyment of property, and effects on health -- can generate other secondary stressors. These may include:

- Powerlessness to escape the noise and control one's own acoustic environment – a particular problem with low frequency noise that comes through the walls and windows of homes
- Unpredictability of exposure: How loud is it going to get? When will it end? Will we be able to have a quiet dinner? Will I be able to take a nap? Can we sit outdoors? Will we be able to sleep? Should I have my grandchildren stay over or will their sleep be interrupted?
- Financial impact – e.g., decline in property values
- Being forced to adjust one's behaviors and / or activities to be able to live with the noise, e.g.,
- Concern for impacts on other family members, neighbors – particularly those most vulnerable
- Anger and frustration when authorities are unresponsive or unable to effectively address the problem
- Stress from having to devote considerable time and effort to try to address the problem
- Being stigmatized as a complainer.

These stressors exacerbate the negative impacts of noise on health and well-being.

Noise is a Serious Ecological Problem

Manmade noise is a threat to our fragile ecosystems, contributing to decreases in biodiversity by interfering with animals' ability to find reproductive partners, evade predators, find prey, and adjust to stress. Since 2000, approximately **460 peer-reviewed articles** on the adverse impacts of manmade noise on land and marine species have been published in the peer-reviewed scientific literature. These studies show that anthropogenic noise interrupts animals' ability to communicate, and also disrupts habitats, patterns of migration, and seed dispersal. A study of US protected areas found that manmade noise from transportation, development, and extraction industries substantially increased sound levels in protected areas. Manmade noise sources doubled background sound levels in 63% of areas and increased levels 10-fold or higher in 21% of areas.

Noise Cannot be Effectively Regulated at the Local Level

There are many reasons why localities cannot properly regulate noise. A major reason is that localities, especially smaller ones, are not properly resourced and informed for developing and enforcing effective noise ordinances. Some particular issues are listed below.

- **Jurisdictional fragmentation and inconsistency:** Local ordinances vary enormously from municipality to municipality in standards, metrics, exemptions, and enforcement thresholds, creating a patchwork where the degree of protection depends on where you live.
- **Noise can cross jurisdictional lines.** Noise generated in one jurisdiction can harm others in another who have no vote/voice in the municipality authorizing the noise.
- **Enforcement is lacking.** A survey found that nearly one-fourth of noise ordinances had no enforcement body identified. Police departments lacked training and equipment, and noise complaints were often given low priority [Eichwald 2021].
- **Inadequate Metrics:** Most local ordinances rely on A-weighted decibel (dBA) measurements and averages that are inadequate for measuring low-frequency noise, intermittent, impulsive, or fluctuating noise that may be highly impactful, or cumulative exposure over time.
- **No connection to health outcomes or standards:** Local noise ordinances are usually framed in terms of nuisance/annoyance or quality-of-life, not public health. They may rely on thresholds that are unsafe or on metrics that are inadequate. There may be no considerations of WHO guidelines, EPA's 1974 recommendations, or more recent health research.
- **Capacity and expertise deficits:** Most municipalities — especially smaller ones — lack the technical expertise to draft scientifically informed ordinances, the equipment to measure noise properly, or the staff to enforce consistently.
- **Vulnerability to industry pressure:** Local governments are more susceptible to pressure from local employers, trade associations, and industry groups compared with federal or state agencies.
- **Inability to address cumulative or ambient noise:** Local regulations cannot address the gradual rise in ambient noise levels that constitutes the actual public health burden, nor

can they require noise impact assessment before approving development, zoning changes, or infrastructure expansion.

Conclusion

Bill SB26-098 which puts private interests ahead of public welfare. It lacks an understanding of the nature of environmental noise and its serious impacts on both human health (e.g., sleep disruption, cardiovascular disease, mental health impacts) and fragile ecosystems. By removing statewide noise protections, it allows major noise sources to bypass Colorado's baseline limits via local permits. It would replace consistent statewide minimum standards with a patchwork of inconsistent local ordinances which serves neither public nor ironically private interests. It weakens accountability and the ability of residents to get relief from harm.

The state of Colorado has a responsibility to protect health and well-being and the quality of its environment. I strongly urge the House to oppose this bill and not abandon those critical responsibilities.

APPENDIX A: Two Email Examples (Out of Many Hundreds) Sent to Quiet Communities from Noise-Impacted Communities*

Email Excerpts from a College Student from a Letter Sent to Local Authorities

I am exhausted from being passed between agencies who each claim the problem belongs to someone else. I cannot continue doing your jobs for you. I am a student at [College]. I am also the primary caregiver to TWO elderly veterans in this home. I do not have the time, the energy, or the resources to continue identifying ordinance violations, documenting safety hazards, and compiling evidence that should be YOUR responsibility to address.

Yet here I am, with over 95,000 calibrated sound measurements, hundreds of videos, and a year of emails—because nobody else will do anything. THE NOISE IS HURTING ME!! I have told city officials this. Multiple times. In writing. For over a year. The response has been empty promises and silence.

I am experiencing documented symptoms of chronic low-frequency noise exposure: persistent headaches, sleep deprivation, anxiety, severe irritability, and difficulty concentrating on coursework. These are well-established health effects identified in peer-reviewed research, including a 2020 systematic review of 39 studies on low-frequency noise health impacts (Alves et al., Applied Sciences, 2020). The World Health Organization has recognized low-frequency noise as requiring special consideration since 2000. I have TOLD them it is hurting me. They do not care about me, nor residents like me.

Email Excerpts from a Resident of a Small City



As a long time resident of [location], I lived in a subdivision over 20 years. The steadily growing trend over time has been...to by [sic] elaborate “yard toys”. \$15,000 110db outputting mowers designed to cut acreage to mow average sized yards. And literal mowing 3-4 times per week unnecessarily. The roads are open drag strips. It seems daily the modified to be loud vehicles on these roads double. Not only modified but new cars actually sold this way. Noise from these far exceeds county ordinance levels. This is a behind the times community which loves its hot rods, motorcycles, four wheelers, mowers, blowers, anything purposely loud it seems. I moved from my 20 year home in the subdivision to a 2 acre lot to get away from it, but to no avail. There is zero enforcement of ordinance noise limits. Zero response when complaints are made to authorities...There is no annual vehicle inspection here so emissions are out of control. The pollution and the noise go hand-in-hand. From visiting many other communities, I can say the local people here have a particular fondness for loud engines. Because of this, they buy them and modify them to be louder. And then, of course, they take full advantage of the ability to rev the engines to make them even louder still. ...[Location] has only one noise camera on a downtown corner block. I’ve never heard of any enforcement come from it. There is much frustration at the fact that it seems a dead end to do anything about this. It gets scoffed at. Law enforcement themselves have suggested to me to “go inside and turn up the tv.”

*Names and locations have been removed to protect individual identities.

APPENDIX B: Examples of Peer-Reviewed Scientific Articles on Noise and Health

THE LANCET

Auditory and non-auditory effects of noise on health

Dr Mathias Basner, MD   • Wolfgang Babisch, PhD • Prof Adrian Davis, PhD • Mark Brink, PhD • Charlotte Clark, PhD • Sabine Janssen, PhD • et al. [Show all authors](#)

Review > [J Am Coll Cardiol. 2018 Feb 13;71\(6\):688-697. doi: 10.1016/j.jacc.2017.12.015.](#)

Environmental Noise and the Cardiovascular System

Thomas Münzel¹, Frank P Schmidt², Sebastian Steven², Johannes Herzog², Andreas Daiber², Mette Sørensen³

thebmj

Noise exposure and dementia: a rising concern in ageing populations

BMJ 2021 ; 374 doi: <https://doi.org/10.1136/bmj.n2120> (Published 09 September 2021)

JACC Journals • JACC • Archives • Vol. 85 No. 5

Previous

Higher Aircraft Noise Exposure Is Linked to Worse Heart Structure and Function by Cardiovascular MRI OPEN ACCESS

Original Research

Constantin-Cristian Topriceanu, Xiangpu Gong, Mit Shah, Hunain Shiwani, Katie Eminson, Glory O. Atiola, Calvin Jephcote,

Impact of Noise Exposure on Risk of Developing Stress-Related Health Effects Related to the Cardiovascular System: A Systematic Review and Meta-Analysis

Kapeena Sivakumar^{1,2}, Jennifer A. Ritonja^{3,4}, Haya Waseem^{1,2}, Leena AlShenobar^{1,2}, Elissa Morgan^{1,2}, Salman A. Ahmadi⁵, Allison Denning⁶, David S. Mchaut⁶, Rebecca L. Morgan^{1,2}

European Heart Journal

A neurobiological mechanism linking transportation noise to cardiovascular disease in humans

Michael T Osborne, Azar Radfar, Malek Z O Hassan, Shady Abohashem, Blake Oberfeld, Tomas Patrich, Brian Tung, Ying Wang, Amorina Ishai, James A Scott ... [Show more](#)

 ESC
European Society of Cardiology
European Heart Journal (2021) 42, 835–843
doi:10.1093/eurheartj/ehaa957

CLINICAL RESEARCH
Epidemiology and Prevention

Does night-time aircraft noise trigger mortality? A case-crossover study on 24 886 cardiovascular deaths

Apolline Saucy ^{1,2}, Beat Schäffer ³, Louise Tangermann ^{1,2}, Danielle Vienneau ^{1,2}, Jean-Marc Wunderli ³, and Martin Röösli ^{1,2*}

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: Kristian Jonsson**

As a Denver resident and homeowner – who spends much of my free time in our city’s music and cultural spaces and traveling across our state to small mountain towns and the outdoors – I’m writing to urge you to support SB 26-098 and move it forward out of committee.

Colorado’s quality of life is defined by the balance we strike between vibrant communities and respect for our neighbors. Whether it’s a trailhead festival, a nonprofit outdoor fundraiser, Red Rocks, a neighborhood venue, or a community celebration in a city park, local events are core to why people choose to live, work, and visit here. These experiences are part of what makes Colorado such a special place to call home.

The Oriental Theater is my neighbor, as are all the outdoor breweries, patios, and restaurants that make the Tennyson neighborhood a great place to live.

SB 26-098 restores an important element of local control that allows cities and counties to manage sound in ways that fit their communities. Local governments are best positioned to weigh neighborhood concerns alongside economic vitality, cultural expression, and outdoor recreation. A blanket state-wide mandate does not reflect the realities of a state as diverse as Colorado.

As someone who values both quiet open spaces and live music, I appreciate that SB 26-098 does not eliminate noise standards but simply returns decision-making authority to local governments. This flexibility helps preserve access to live entertainment and outdoor cultural events while still allowing communities to address legitimate concerns.

Denver’s outdoor economy, arts organizations, and small venues all depend on predictable, locally tailored rules. SB 26-098 supports these sectors while respecting public health and community input. The bill’s strong bipartisan support in the Senate reflects how broadly these values are shared, which is also important to me.

I respectfully ask you to advance SB 26-098 so Colorado communities can once again make reasonable, locally informed decisions that support culture, recreation, and economic life while remaining good neighbors.

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB 26-098
Tuesday, April 7 at 1:30 PM
Testimony: Kyra Tatum**

My name is Kyra Tatum. I am a singer based in Colorado, and I perform with local bands across the state. I am here today to speak in support of SB 26-098.

Music is a core part of Colorado's culture. It shows up in community gatherings, local events, restaurants, and small businesses that bring people together. It is part of how communities connect and how local economies stay active.

As someone who performs with local bands, I see firsthand how much these spaces matter. They provide opportunities for artists to perform and for communities to gather. They also support a broader network of small businesses and workers.

The Colorado Supreme Court's ruling in *Hobbs v. City of Salida* created uncertainty around local noise permits for private businesses. That uncertainty makes it more difficult for venues and organizers to plan events and book performances, which directly impacts artists and the communities that rely on those events.

SB 26-098 restores local governments' authority to issue noise permits and set standards that reflect the needs of their communities. It allows decisions to be made locally, where officials understand how to balance community activity with quality of life.

This bill maintains protections for residents while providing clarity and stability for businesses, events, and artists. It supports Colorado's cultural life and live music scene, and the local economies connected to it.

I respectfully urge the committee to support SB 26-098 and vote yes.

Thank you.

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB 26-098**

Tuesday, April 7 at 1:30 PM

Testimony: Leanne D Wheeler

I am a Colorado-based political activist, and a proponent of local authority. I am writing in support of SB 26-098.

In my work, I engage regularly with residents, local leaders, and small businesses across the state. One of the most consistent themes I hear is the importance of local decision-making. Communities want the ability to shape policies that reflect their unique needs, priorities, and character.

The Colorado Supreme Court's ruling in *Hobbs v. City of Salida* created uncertainty around local governments' ability to issue noise permits for private businesses. This change removed an important tool that communities have long relied on to manage growth, support local economies, and address quality-of-life concerns.

SB 26-098 restores that local authority. It allows cities and counties to work directly with residents and businesses to establish standards that reflect their communities, rather than relying on a one-size-fits-all statewide approach.

This bill maintains protections for residents while reinforcing a principle that has long guided Colorado: that local governments are best positioned to make decisions about their own communities. It supports collaboration, accountability, and practical problem-solving at the local level.

I respectfully urge the committee to support SB 26-098 and vote yes.

Thank you,

Leanne D. Wheeler

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB 26-098**

Tuesday, April 7 at 1:30 PM

Testimony: Commissioner Leslie Summey

I am disappointed to miss you in person today but am writing in support of SB 26-098.

As a county commissioner, I engage regularly with residents, local leaders, and small businesses across the county. One of the most consistent themes I hear is the importance of local decision-making. Communities want the ability to shape policies that reflect their unique needs, priorities, and character. These community stakeholders inform the work we do as a Board of Commissioners.

Unfortunately, the Colorado Supreme Court's ruling in *Hobbs v. City of Salida* created uncertainty around local governments' ability to issue noise permits for private businesses, and in so doing, removed an important tool that supports local decision making and our local economy.

SB 26-098 restores that local authority. It allows cities and counties to work directly with residents and businesses to establish standards that reflect their communities.

This bill maintains critical protection for residents while reinforcing a principle that has long guided Colorado: that local governments are best positioned to make decisions about their own communities. It supports collaboration, accountability, and practical problem-solving at the local level.

I encourage your yes vote.

Commissioner Leslie Summey, Arapahoe County

Oral testimony of Michael Osborne, MD opposing SB26-098 to the Colorado House Committee on House Transportation, Housing & Local Government

April 7, 2026

My name is Michael Osborne. I am a cardiologist and researcher at Massachusetts General Hospital in Boston, and Assistant Professor of Medicine at Harvard Medical School. The research by me and my colleagues on the effects on noise on cardiovascular and cardiometabolic health is published in the peer-reviewed scientific literature.

Chronic exposure to noise has been repeatedly associated with cardiovascular and metabolic disease. Two of the primary mechanisms by which this occurs involve activation of the stress response and contributions to sleep disruptions. Importantly, these effects occur whether or not the noise is considered annoying or sleep is disrupted. Further, there is no evidence that it is possible to simply acclimate to noise exposure. In fact, repeated noise exposure actually causes a priming effect wherein there are accentuated responses to future exposures.

Our research has shown that chronic noise exposure associates with alterations in brain regions involved in the stress response, including an important fear center called the amygdala. These brain changes contribute to activation of the “fight or flight response” and the release of stress hormones. These effects lead to greater inflammation in the body and, specifically, in the arteries, which contributes to artery disease and an increased risk for cardiovascular events, like heart attacks. These brain changes also worsen the body’s ability to metabolize sugar and the development of obesity, which can lead to diabetes and other cardiovascular risk factors.

Notably, certain individuals may be more susceptible to the adverse impacts of noise exposure, including those with pre-existing cardiovascular or psychiatric disease or those with co-exposure to other stressors, such as low socioeconomic status and high levels of air pollution. Therefore, noise exposure must be considered a universal stressor and a public health concern. It is vital for the health and well-being of the citizens of your state to maintain uniform regulation over noise to minimize these impacts.

Dear Chair and Members of the Committee,

My name is Nic Zador and I am writing to **oppose Senate Bill 26-098**.

My family and I have owned our condo at LakeCliffe in Dillon since 1998. Until December 2023 it was my primary home from which I worked, employed locals, engaged in meaningful personal relationships and contributed positively to my community by serving on the BOD of our local health clinic. And while I no longer personally reside there full time, I rent long term to individuals who are employed full time in our community and beyond.

My apartment has become essentially unlivable for four months of the year from June - September, as sounds, vibrations and lights from the Dillon Amphitheater located directly across from it, make it impossible to hold conversations, conduct business, eat with friends & family, enjoy the deck or honestly hear oneself think. Sound checks begin at 9:00 am on show days and concerts run until 10:00pm or later, resulting in 13+ hours of disruption. My tenant comes home after a long day working on the Vail Pass construction project and is unable to rest because of the intrusion of sounds and lights into the apartment and increased vehicle & pedestrian traffic directly outside.

Lights from the stage point dangerously into the dining room and lasers bounce off mirrors. Low frequency vibrations cause appliances to rattle and dance across the floor and glasses to vibrate as can be seen in the following videos:

- 1) <https://youtube.com/shorts/yLSF49K6vhc?si=S1qFfOe6BavUqAsf>
- 2) <https://www.youtube.com/shorts/NKQ1eOb2rww>
- 3) <https://www.youtube.com/shorts/ASpNT-4aA0E>
- 4) <https://www.youtube.com/shorts/B9WPkutSCzU>

These low frequency vibrations are more than merely a nuisance. It is classified as Structural Resonance and has led to *potential Structural Damage* to our property.

I **oppose Senate Bill 26-098** because it removes meaningful regulatory protections for the health and well being of residents and impinges upon our *Constitutional Right to Quiet Enjoyment*.

Senate Bill 26-098 disproportionately affects residents who live within 5000 feet of venues such as the Dillon Amphitheater. It allows towns like Dillon to issue unlimited special event permits, which is in direct opposition to the promise that was made to residents by our elected council members that the venue would be run as a community space, not a for profit business venture.

In addition to the stress caused by the disruption to our lives and the ensuing negative impact upon our health, there has also been a net cost for our HOA. We have incurred increased operational costs to provide security on our campus, tow unauthorized cars, and construct a fence, so that amphitheater attendees don't trespass on our private property, illegally utilize our clubhouse, and engage in disruptive behaviors including fornicating on our lawns (yes, this has happened).

Senate Bill 26-098 **does not protect PUBLIC HEALTH**. Rather it jeopardizes the health and well being of residents who are assaulted by low frequency sound vibrations, dangerous lights, and unruly crowds.

We do not seek to eliminate the Amphitheater altogether and the joy of live music. But rather, to hold towns like Dillon accountable for the impact upon us as local tax paying residents. We continue to demand actionable sound mitigation, in particular employing an independent sound engineer to measure dbC (low frequency decibel) levels at the property line and **inside our homes**. At present, Town of Dillon has exempted itself and the Amphitheater it operates from any maximum decibel levels. TOD's refusal to engage independent monitoring poses a fundamental legal bind as both operator and provider.

Senate Bill 26-098 unduly places the burden upon homeowners and removes necessary checks from municipalities. It forces us as individuals to shoulder the costs of potential legal action, rather than utilizing common sense measures to hold municipalities accountable. I impress upon you all to consider the consequences upon your constituents and **vote NO**.

Thank you for your consideration,

Nic Zador
LakeCliffe F204
Dillon, CO

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: Nathan Akerhielm**

My name is Nathan Akerhielm, and I'm a young professional working as a Strategic Data & Financial Specialist in Denver.

I recently moved to Denver for a new job opportunity in data analytics. As a young guy in his late 20s, a huge reason I chose to make the cross-country move from North Carolina to Denver is because of its music scene.

Live music has always played a huge role in my life. It's how I explore a new city, meet people, and feel connected to a community. Before I even moved, I already bought tickets to see two of my favorite bands. I'm definitely not alone in that. So many young people are drawn to Denver for its energy, creativity, and live music scene. It's a key part of what makes this city attractive as a place to build a life. We don't want to see that momentum slow down or disappear.

That's why I'm concerned about the impact of the Colorado Supreme Court's decision in *Hobbs v. City of Salida* and the uncertainty for venues and small businesses that rely on live events. If those events are scaled back, this will hurt a lot of businesses and people, from restaurants and bars to the artists and staff who depend on those opportunities.

For so many people, these experiences are part of why we choose to live and work in Colorado. That's why I respectfully ask you to support Senate Bill 26-098. This will allow local governments to make decisions that reflect the needs of their communities.

Supporting this bill helps ensure that cities like Denver can continue to offer the kind of vibrant, connected environment that attracts and retains young professionals.

Thank you.

POSITION STATEMENT: OPPOSITION TO SB 26-098

RE: State & Local Noise Abatement Authority

TO: Members of the House Transportation, Housing & Local Government Committee

FROM: Nicole Zador, Resident of Lake Cliffe Condominiums, Dillon, CO

DATE: March 30, 2026

EXECUTIVE SUMMARY

I am writing to urge a **NO vote on SB 26-098**. This bill, as currently drafted, creates a "blank check" for municipalities to cause physical property damage to their own citizens. In the Town of Dillon, the government-owned, for-profit amphitheater is currently operating at 100+ decibels—a level that is **not just audible, but seismic**.

THE EVIDENCE OF PHYSICAL IMPACT

This is no longer a debate about "loud music." We are experiencing **structural resonance** that is making our homes uninhabitable.

- **Video Evidence (Interior Vibration):**

In this video, you can see the low-frequency bass from the venue causing a heavy refrigerator inside one of our homes (Lake Cliffe Condo Building F, directly across the street from the Amphitheater), to visibly rattle and vibrate.

- **Video1:** <https://youtube.com/shorts/NKQ1eOb2rww?si=yWatQaGoBQZ765Lf> **Note the visible vibration of the appliance against the floor/wall.**
- **Video2:** https://youtube.com/shorts/yLSF49K6vhc?si=JeBu_dfQFky6jpUF **Note the rattling of objects in the home.**

- **Structural Damage:** These ongoing vibrations have led to failed window seals and visible gaps in the building's exterior envelope. The Town's revenue-driven noise levels are literally shaking our private property apart.

THE HUMAN COST

When these concerts occur, we are effectively **evicted from our own homes**. We cannot sleep, we cannot hold conversations, and we cannot find sanctuary in the property we pay taxes on. We are being told by the Town of Dillon that a tourist's ticket experience is more valuable than our right to live safely in our residences.

THE FAILURE OF "LOCAL CONTROL"

SB 26-098 argues for "local control," but in Dillon, the Town is both the **promoter** and the **regulator**. They have a direct financial conflict of interest, every decibel reduced is seen by them as a hit to their bottom line. They cannot objectively regulate a nuisance they are profiting from. Without the "floor" of the *1971 Noise Abatement Act*, homeowners like me are left defenseless against a government that chooses profit over property rights.

In summary, our mountain sanctuaries—the very places we pay taxes to live in—are being physically invaded and damaged by the government supposed to protect us. We are asking you to preserve the only legal line of defense we have left. Won't you please help?

REQUESTED ACTION

We ask the Committee to protect Colorado homeowners by:

1. **Voting NO** on SB 26-098 to maintain existing state health standards.
2. **Amending the Bill** to require a **Certified Structural Engineering Impact Study**. Require any municipality seeking to exceed state noise standards to first perform and publish a **Structural Resonance Mitigation Plan**, certified by a licensed engineer, for any residential structure within a 500-foot radius. If the Town wants to operate at 100dB, they must prove it isn't compromising the structural integrity of our homes.
3. **Mandating C-Weighted (Bass) Limits** to prevent the seismic damage shown in the attached evidence.
4. **Independent Monitoring**: To ensure municipalities are not self-policing their own profit-making venues.
5. **Restrict High-Impact Frequency**: Amend the bill to cap the number of "high-decibel" permits allowed per season. Residents should not be subjected to structural resonance on a back-to-back or nightly basis. A municipality must be required to provide "recovery periods" of silence between events to preserve the residential nature of the neighborhood.
6. **Community Standards for Explicit Content**: Require that any permit exceeding state noise levels (which allows the sound to penetrate clearly into private bedrooms and living spaces) must strictly enforce "Clean Version" or "Radio Edit" requirements for performers. If the Town forces us to hear every

word of a concert inside our homes, they have a duty to ensure that explicit, age-inappropriate language is not being broadcast into our private sanctuaries.

Respectfully,

A handwritten signature in black ink, appearing to read 'NZ' followed by a stylized flourish.

Nicole Zador

Physical: 120 East LaBonte Street Building F, Unit 204; Dillon, Colorado 80435

Mailing: 265 Dillon Ridge Road Suite C, PMB 1085 Dillon CO 80435

(970) 314 - 8061

Oral Testimony in Opposition to Colorado SB26-098

Colorado House Transportation, Housing & Local Government Committee

April 7, 2026

My name is Rick Reibstein. I am an environmental lawyer with experience at the state and federal levels and currently a Senior Lecturer in Environmental Law and Policy at Boston University. This statement is directed toward opposing Bill SB26-098.

The motivation for this bill appears to be the removal of obstacles for private interests, failing to respect the high cost to human health and environment.

It is beyond dispute that noise is a serious public health problem causing both mental and physical harms. In my class at Boston University, students have engaged with people experiencing harmful levels of noise on a chronic basis adversely affecting their health, their sleep, their children's ability to learn, and are also driving many of them mad. In addition, it is robbing them of right to enjoy their properties. Many environmental noise sources including but not limited to music events, modified vehicles, ventilation systems, generators, and gas leaf blowers, contain strong low frequency elements that travel right into people's homes, offering them no safe refuge from harm. It is as if their homes have been taken away from them. And these noise sources can affect people day and night.

Most communities do not have the resources or will to fight noise locally and many sources of environmental noise do not respect local boundaries. My students have heard from noise sufferers who discover that their local authorities do not know how to help them. Some of them have solicited help from every conceivable local or regional authority, only to have those authorities tell them that they are not able to help, it is another agency's responsibility, or they simply don't know what to do. Nor is help coming from the federal government, because the Office of Noise Abatement and Control was de-funded in 1982.

It is critical that help come from the state. The state of Colorado's responsibility to protect health and well-being is deeply woven into the fabric of its Constitution — through the Preamble, such as its general welfare clause alone, or the Bill of Rights', which is self-executing - the principle that the government exists for the good of the whole. Passage of this bill directly contradicts those principles. I strongly urge the House to oppose this bill that would abandon those principles.

Richard Reibstein

Senior Lecturer, Environmental Law and Policy

Boston University

Department of Earth and Environment

One-Page Summary – Opposition to SB 26-098

From: Rick Solner, Dillon, Colorado

April 6, 2026

Dear Chair and Members of the Committee,

My name is Rick Solner, and I am a resident of Dillon, Colorado. I am writing in strong opposition to Senate Bill 26-098.

This bill removes enforceable public health protections and replaces them with local political control. In practice, this creates a system where those most impacted—families living closest to high-impact sound—have the least power. We cannot outvote tourism, event revenue, or the broader community that does not experience these impacts. This turns fundamental rights into a popularity contest. We have spoken with multiple acoustic engineers who do this work that agree that CO code can be modernized, but this version DETRACTS protections, add complications with residents and their constitutional rights and creates complications in between municipalities since sound doesn't know boundaries.

Were any acoustic professionals have been engaged to review this that do this work professionally. There are many practical solutions and a truly modernized code could recommend them, MAKING COLORADO A LEADER in this area, versus giving blanket exceptions to city councils to no listen to what will be a minority of effected citizens.

Legislators take an oath to uphold constitutional protections—not to defer them to majority preference. This includes the right to the quiet enjoyment of one's home, due process, and protection from government overreach.

I respectfully urge you to reject SB 26-098, or *severely* amend it, *with the help of professionals that do this work with their recommendations*, to require enforceable sound standards, independent acoustic testing in impacted zones, and protections for disproportionately impacted residents. Do you know how powerful amplifications systems can be these days?

There is a epidemic of hearing loss, please see this article from the World Health Organization: <https://www.who.int/publications/i/item/9789240043114>

WHO estimates that over one billion young people globally are at risk of hearing loss due to sound exposure in recreational settings. The risk of permanent hearing injury due to unsafe listening is both avoidable, and costly.

In the face of this growing threat, governments, public-health agencies, those involved in the creation, distribution and amplification of music, the private sector, civil society, and other stakeholders, all have a duty of care in understanding the sound levels to which audiences and consumers are being exposed, and creating environments that facilitate safe listening behaviours.

For my family, this is not a hypothetical issue. During the past few summers, after dozens of complaints from our committee of 30 plus neighbors, sound from the Dillon Amphitheater regularly reaches approximately 96 decibels outdoors (comparable to a chainsaw) **and 75-80 decibels inside our home with windows closed.** That level of indoor sound is highly unusual and unacceptable for residential living and **DANGEROUS FOR OUR CHILDREN.** These impacts often last 6-8 hours per day, including sound checks.

This is not typical noise—it is low-frequency sound and vibration that travels through walls, causes physical vibration, disrupts sleep, and cannot be escaped, even in interior rooms.

We have worked in good faith with the Town of Dillon and provided industry-standard mitigation solutions, including independent acoustic testing, use of both A-weighted (dBA) and C-weighted (dBC) measurements, directional sound systems, and spacing of high-impact shows. Acoustic professionals confirm current conditions are not consistent with industry standards and are fixable. Despite this, there is zero mitigation planned for summer 2026. According to professionals to not measure in impacted homes is the first clue the town is not serving their ethical obligations to citizens and following standard industry practice.

A critical issue is measuring the wrong sound. A-weighted decibels do not capture low-frequency bass, which causes the most harm. C-weighted measurements are necessary to capture this impact. Without them, the most harmful sound is unregulated.

This bill removes guardrails and leaves residents without any meaningful protection, and we cannot out vote the rest of the town that does not live nearby the effecting sound. There are PRACTICAL MITIGATION STRATEGIES and the town refuses to do ANY OF THEM. We are left with nothing but the CO Abatement ACT and lawsuits can costs everyone. It is already extremely difficult and costly to enforce this act. But it provides some State leadership in protection.

This is about whether families can live in their homes in a healthy and reasonable way with reasonable avenues to protect themselves.

Sincerely,

Rick Solner

Dillon, Colorado

ROBIN R. ROSSENFELD, ESQ.
Admitted in Colorado, New York, Florida

9 South Downing Street, Denver, CO 80209
(303) 284-8708 (720) 934-7081 (cell)

RE: SB 26-098

My name is Robin Rossenfeld. I am a long-time Colorado resident. Prior to my moving here, I was an attorney who worked with the New York City Environmental Control Board as a supervising administrative law judge handling quality of life matters, including the NYC Noise Control Act, and later represented the NYC Department of Environmental Affairs as an Assistant Corporation Counsel in state and federal cases concerning the enforcement powers of the Department, including said Noise Control Act. As such, I am familiar with the history of the creation of EPA-related noise control legislation in the 1970's, enforcement of state and municipal noise control rules, and the importance for such legislation in maintaining the quality of life for our residents and attracting visitors to our State. Given my prior experience with and interest in noise abatement matters, I have read *Hobbs v. City of Salida*, the Colorado Supreme Court case which has led to the urgent need to pass this bill.

I am also someone who, being a long-time resident of Colorado, has attended many music events throughout the State, both at music festivals and at local bars and gathering points. I know the vibrant and dynamic contributions live music creates for all of us. Such offerings also provide jobs for musicians (I am the aunt of a pianist who makes her living playing in bars and other locales) and others servicing attendees to such events.

I urge the Committee to vote "yes" on SB 26-098.

Thank you.

Vote **NO**

SB26-098

Support

Environment, Public Health, Residents

REJECT changing the Noise Abatement Act (NAA) to benefit the Ford Amphitheater

(1) Stopping SB26-098 WILL NOT affect Red Rocks and Fiddlers Green

Colorado's current Noise Abatement Act (NAA) already allows appropriate flexibility through established exemptions for nonprofit and state, as well as any political subdivision of the state, venues.

- Venues such as Red Rocks (city-owned) and Fiddler's Green (nonprofit-owned) currently operate under these existing NAA exemptions. Current NAA balances flexibility with accountability and protections.
- **SB26-098 is unnecessary because the existing NAA provides local governments exemptions covering qualifying use of property by the state, a political subdivision, or nonprofit.**

(2) The NAA protects residents and WORKED LIKE IT SHOULD in *Hobbs v. City of Salida*

- Mathew Hobbs used the NAA to abate a public nuisance caused by Salida permitting excessive noise pollution in a residential area (60 events/summer @ 85 dBA). Salida was attempting to use the NAA political subdivision exemption to benefit a private, for-profit, noise polluter (High Side Bar & Grill).
- The CO Supreme Court unanimously ruled that NAA exemptions cannot be delegated to for-profit entities – only legitimate nonprofits and governments can use their respective NAA exemptions.
- **SB26-098 would effectively override this unanimous Supreme Court ruling by creating a new exemption category for for-profit entities – allowing them to completely bypass state noise limits via local permit – and eliminate resident legal enforcement of those state limits.**

(3) Local control, including Colorado Springs, is FAILING to protect their residents

Colorado Springs is a current, vivid example of how local control can fail when addressing noise pollution impacts of large-scale for-profit venues, such as Ford Amphitheater.

- The City made planning and development decisions without the benefit of independent noise professionals – permitting an open-air amphitheater (with amplified music at 110 dBA) to be built in the middle of a residential area with 25k pre-existing residents (2 mi radius).
- Residents relentlessly engaged for two years – before, during, and after development – with no measurable reduction in the harm they are experiencing
 - In 2025, 1,700+ Ford Amphitheater code enforcement noise complaints were filed with the City – and zero action was taken to investigate or resolve them.
- As in *Hobbs*, the residents are now using the NAA private right of action to abate the Ford Amphitheater public nuisance. **This ongoing lawsuit is their last line of defense.**
- Rather than comply with the longstanding law, Ford Amphitheater, the City of Colorado Springs, and CML are all now pushing SB26-098 to change the law and gut noise level protections.
- **SB26-098 will extinguish the residents' lawsuit, pulling the rug out from under harmed residents currently in court. By eliminating NAA protections for residents in YOUR DISTRICT, it will also END THEIR DAY IN COURT.**

(4) Noise pollution is REAL and HARMFUL, especially to Vulnerable Populations

- Residents near Ford Amphitheater are experiencing sustained, high-level noise exposure in their homes. Relentless concert noise is audible inside homes, even with windows closed.
 - Noise occurs for extended periods: lengthy afternoon sound checks and evening concerts, including back-to-back and school nights – hijacking otherwise serene Colorado evenings.
 - The result is a fundamental disruption of property rights and ability to control one's environment
- Environmental noise is associated with measurable health effects including cardiovascular disease, cognitive impairment, sleep disturbance, tinnitus, and reduced quality of life.
- Vulnerable populations – including children, veterans with PTSD, persons with autism, older adults, and those with health conditions – are disproportionately affected and are actively experiencing harm.
- Shift workers – including nurses, doctors, firefighters, law enforcement, and military personnel – cannot get their required sleep, potentially affecting their work and public safety.
- **SB26-098 contains no upper limit on the loudness, duration and frequency of events that local governments can permit, allowing the harm to vulnerable populations to continue forever.**

(5) Residents will be left WITHOUT REPRESENTATION if you pass SB26-098

Noise pollution, like air or water pollution, does not respect jurisdictional lines.

- In Colorado Springs, 7,000+ affected residents live in unincorporated El Paso County near Ford Amphitheater and have NO VOTE in the City permitting of the noise pollution they experience.
- **SB26-098 perpetuates a situation where impacted residents lack meaningful recourse.**



Noise Pollution Solution
PMB425 12295 Voyager Pkwy, Ste 130
Colorado Springs, CO 80921
www.NoisePollutionSolution.org
info@noisepollutionsolution.org

House Transportation, Housing & Local Government

04/07/2026

SB26-098 State & Local Noise Abatement Authority

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Adam Ali Against themselves	<p>To the Committee: I am a citizen of Chicago, who's health has recently declined significantly as a result of excessive noise pollution that has increased nation-wide in the last 5 years, post-pandemic. I have recently visited your state as a tourist, and witnessed the same wide-spread issues occurring here that have plagued our house. This obscene uptick, from bars and pop venues blasting bass throughout the night, to illegally modified vehicles with intentionally loud engines, stereo systems, and mufflers, shake our walls and windows so continuously, that after 2 years of exposure, I developed permanent tinnitus, and visual snow syndrome, and a rise in blood pressure. This activity never ceases, especially not on the days of funerals or holidays. One funeral we had was actually disrupted by a pop up venue across the street, using subwoofers that shook the ground during the eulogy. In your state, whether in downtown Denver, or even a desolate motel in Rocky Mountain National Park, there were many instances of this issue. This phenomenon used to be a fleeting part of urban life but has spread and amplified across many suburban and rural settings. Acoustic vibrations, strong and prolonged, cause damage to the human nervous system, and excessive stress and unending fight or flight responses cause cardiac problems that take years off a person's life. You bring these issues straight to many taxpayers residences if you permit this bill to pass, and set a precedent for future states to do the same. Law enforcement is already lax, and rarely pursues this issue in impoverished and middle class communities. Reducing state laws to the local level will leave communities vulnerable to health and quality of life issues too difficult to rectify. These regulations were in place for a reason. Leaving this as a patchwork strategy will only reduce what little control is left for the taxpayers who are victimized, and the numbers who are will steadily increase as time goes on. Increased complaints put a strain on police and city services responding to more pressing calls. And many cities throughout the US also saw this rise and in 2 years alone: States like NY, NJ, and CT all passed legislation regarding this issue, such as NY state's "SLEEP ACT", targeting the manufacturers of this acoustic equipment. Sound Ticketing Cameras are even now being used in cities like NYC, London, Miami, Knoxville, and stretching to more urban areas, showing how far this issue has already gone.</p>

<p>Anne Argent For themselves</p>	<p>Colorado House Transportation, Housing, and Local Government Committee</p> <p>Hearing on SB26-098</p> <p>Tuesday, April 7 at 1:30pm</p> <p>Testimony: Anne Argent</p> <p>My name is Anne Argent, and I am a local artist living in Denver. I have been creating art for 50 years and have such a deep appreciation for the arts scene and community that lives in Colorado.</p> <p>Â</p> <p>I am writing this testimony to discuss a bill that affects the artscommunity in Colorado. The bill, SB 26-098, makes a small change that would have a big impact. It would provide local governments with the authority to make decisions regardingnoise permits in their towns and cities. Without this bill, businesses of all kinds would find it very challenging to obtain noise permits for concerts, events, and other gatherings.</p> <p>Â</p> <p>What makes Colorado special is that all of our communities are unique and different. Itâ€™s what makes us such a popular destination for tourists, regardless of the season. Failing to passSB 26-098 makes it difficult for local governments to address the specific needs of their constituents. Some towns and counties have different approaches to how they handle noise permits, and a blanket regulation wonâ€™t help meet their unique needs.</p> <p>Â</p> <p>We should be doing everything we can to make sure that we continue to be a cultural hub and a hot spot for visitors from all corners of the world. One way we can do this is to empower local governments to work with local businesses on the best approach to noise management. I hope you will support this bill and the artists, business owners, and fans across our state.</p> <p>Respectfully,</p> <p>Anne Argent 303 5143665 anne@bluebearstudio.com</p>
---	--

<p>Anthony Bulfin</p> <p>For themselves</p>	<p>My name is Anthony Bulfin, and I am the owner and operator of restaurants and bars in Breckenridge. I am writing to express my strong support for Senate Bill 26-098 and respectfully urge your support.</p> <p>In a mountain town like ours, the experience we offer matters just as much as the product. Guests come for the outdoors, but what keeps them in town—and coming back—is the ability to gather, spend time together, and enjoy everything the community has to offer after the day ends.</p> <p>Operating in that environment requires planning well in advance. We make decisions about staffing, vendors, and programming based on what we know we can reliably deliver. The recent ruling in <i>Hobbs v. City of Salida</i> introduced uncertainty around local noise permitting for private businesses, which makes that kind of planning more difficult.</p> <p>When the rules are unclear, it impacts how we operate. We become more cautious about scheduling events, investing in programming, and creating the kind of atmosphere that drives business. In a seasonal economy, those decisions carry broader consequences for employees and neighboring businesses.</p> <p>SB 26-098 restores local governments’ authority to issue noise permits and set standards that reflect their communities. Local officials understand how their towns function and are best positioned to balance the needs of residents with the realities of running a business.</p> <p>This bill provides the clarity needed for businesses to plan, invest, and operate responsibly.</p> <p>Thank you for your leadership and consideration. I respectfully urge your support for SB 26-098.</p> <p>Sincerely, Anthony Bulfin</p>
<p>Barbara OTT</p> <p>For</p>	<p>Colorado House of Representatives</p> <p>200 E. Colfax Avenue</p>

<p>themselves</p>	<p>Denver, CO 80203</p> <p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:</p> <p>My name is Barbara Ott, and I am a performer based in Denver, Co. I write to ask for your YES vote on Senate Bill 26-098.</p> <p>I have lived in Denver for twenty-two years and performed as a singer all over the metro area. It has been my privilege to work side by side with my fellow musicians to earn a living in a thriving city that supports live music.</p> <p>The venues, festivals, and community spaces where I perform depend on locally issued noise permits to operate, and those permits are now on uncertain legal footing because of a recent Colorado court ruling in <i>Hobbs v. City of Salida</i>. The court ruled that local governments do not have the authority to issue noise permits to private businesses, which create direct consequences: fewer venues able to book performers, fewer events, and fewer opportunities for me to sustain a livelihood in Colorado.</p> <p>SB 26-098 corrects this technicality by restoring local governments' authority to issue permits and establish noise standards suited to their communities, while maintaining opportunities for artists like me to perform for our fans. It has already passed the Colorado Senate with strong bipartisan support, but we need your support to get this bill to the Governor.</p> <p>I am grateful for your support and respectfully urge a YES vote on SB 26-098.</p> <p>Respectfully,</p> <p>Barbara Ott Performer Denver, Co Barbara.ott21@gmail.com 347 276 2970</p>
<p>Barbara Perruccio Peruccio For themselves</p>	<p>SUBJ: Support SB 26-098</p> <p>April 6, 2026</p>

	<p>The Honorable Meg Froelich Colorado House of Representatives 200 E. Colfax Avenue Denver, CO 80203</p> <p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:</p> <p>As a 24-year Wash Park resident, property investor, and Denver-area Realtor with two decades of experience serving buyers and sellers across Denver and its surrounding communities, I write in strong support of Senate Bill 26-098 and urge your YES vote.</p> <p>The neighborhoods I work in every day, from Denver proper to Centennial, Cherry Hills, Lakewood, and beyond, are made stronger by the restaurants, venues, and cultural businesses that bring people together and drive economic activity.</p> <p>SB 26-098 restores local governments' authority to issue noise permits and provide the legal clarity that residents, business owners, and real estate clients need to make sound decisions.</p> <p>I respectfully ask the Committee to send this legislation to the Governor's desk with a YES vote on SB 26-098. Thank you for your leadership.</p> <p>Respectfully, Barbara Perruccio Denver, Co barb@greatplacerealestate.com (303) 241-2830</p>
<p>Beatrice Price For herself</p>	<p>April 7,2026</p> <p>The Honorable Meg Froelich Colorado House of Representatives 200 E. Colfax Avenue Denver, CO 80203</p> <p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:</p>

	<p>My name is Beatrice Price. I am a Colorado native, a longtime Salida resident, and a Realtor with First Colorado Land Office. I write in strong support of Senate Bill 26-098 and urge your YES vote.</p> <p>Salida is my community in every sense. I shop here, raised my children here, served on the Salida School District board, and volunteered with the Chaffee County Visitors Bureau and Friends of the SteamPlant. I chose to put down roots here because of everything this town offers - including its vibrant arts community and local businesses. The Colorado Supreme Court's ruling in Hobbs v. City of Salida strikes at the heart of what makes Salida special, threatening the venues and gathering places our community depends on.</p> <p>SB 26-098 restores the local authority needed to protect these businesses and give residents, buyers, and investors the legal certainty to plan and grow with confidence.</p> <p>Please send it to the Governor's desk with a YES vote.</p> <p>Respectfully, Beatrice Price</p>
<p>Benjamin Randall Against themselves</p>	<p>As a Colorado resident, I urge you to vote NO on SB26-098.</p> <p>This bill has been marketed as being about "local control." I generally believe granting local control is a noble pursuit. However, as a resident of unincorporated El Paso county, I have personally experienced the limits of local control in noise abatement.</p> <p>The Ford Amphitheater is just over 2 miles from my home. With nearly every concert this for-profit venue puts on, I struggle to sleep due to noise above the state-defined limits. Even the night before a professional actuarial exam (a similar difficulty to a state Bar Exam), concert noise prevented me from sleeping until past 11 PM - I had to wake up at 5 AM the next morning!</p> <p>All the permits and waivers for this venue were granted by the Colorado Springs City Council: a local government. However, since I live outside the municipal boundaries, I have no vote in this matter.</p> <p>If I have no vote, I need protections from a broader government. SB26-098 would remove those protections for me and the hundreds of other citizens like me.</p>

	<p>Please protect the rights Colorado has already granted to its citizens against the damaging effects of noise pollution. I urge you to vote NO on SB26-098.</p>
<p>Cassie Praino For themselves</p>	<p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee,</p> <p>My name is Cassie Praino and I am a resident of Denver, CO.</p> <p>Some of my favorite memories from having lived in Denver for the last several years have been the many concerts and shows at Red Rocks. My friends and I plan our calendars around concerts and community festivals, from national to smaller local artists. These events have made making Colorado home, one of the best decisions of my life.</p> <p>I also can't forget to mention the vibrant live music scene at local breweries and neighborhood gatherings. Whether it's a bluegrass duo in a beer garden or a full stage at a community festival, these moments are integral to supporting local musicians and local businesses.</p> <p>I urge you and your colleagues to continue supporting the arts and help keep Colorado a great place for people who enjoy live music by voting YES on SB 26-098.</p> <p>Sincerely, Cassie Praino</p>

<p>Chris Swiontek</p> <p>Against themselves</p>	<p>We have lived in Colorado for over 20 years (House District 20), and while we are not natives, we love this state as if we were. As you consider SB26-098, I plead with you to consider the dangers of deregulating any statewide pollution limits and to consider that, while SB26-098 might have a good intention of giving more power to localities, giving pollution deregulation to local jurisdictions is a very dangerous precedent that will be abused in ways none of us may think possible.</p> <p>For the record, we are most definitely not against Ford Amphitheater in any way, shape, or form. We love good music and we love a vibrant and growing economy, so long as the growth is healthy and not harming Colorado residents. The garbled vocals and deep bass thumping cacophony pouring out of Ford Amphitheater that VENU has been unable to control for the past two years is disheartening. Especially concerning is when vulgarities are blasted so loud they can be clearly heard miles away outside of the Colorado Springs city limits at our home and our 8, 10, and 12 year old are forced to listen to cuss words in our home. This bill will only exacerbate the levels of noise pollution flooding into residential neighborhoods and will hurt people living outside of jurisdictions choosing to increase their pollution limits.</p> <p>All pollution maximum limits, regardless of type, should be set at the state level and should only be permitted to be made more restrictive and protective in local jurisdictions, never more relaxed and harmful. How would you like someone to build large subwoofers or an extremely noisy manufacturing plant several miles from your home, but in a different jurisdiction where they have chosen to relax noise pollution limits, permitting them to blast low thumping bass, racket, cuss words, whatever, whenever, and for however long they want just because their jurisdiction chose not to require them to soundproof their business appropriately? Your jurisdiction did not agree to the pollution increase, but now you are stuck living with pollution pouring into your home because of the neighboring jurisdiction. How is that okay? You have no representation anymore. Noise pollution is the same as every other kind of pollution and will spread with no respect for jurisdictional boundaries.</p> <p>Statewide pollution limits protect people, nature, and our great state. Please protect Colorado and do not support local control of noise pollution limits. Please do not support SB26-098.</p>
---	---

<p>Christin Rising</p> <p>Against themselves</p>	<p>If Colorado law makers truly value children and students' future education and lives then they need to realize that passing bill SB26-098 will continue to hurt the lives of minors.</p> <p>Thousands of children IN and AROUND Colorado are impacted by over the top noise and sound disturbances. When school children are NOT ALLOWED to properly develop mentally, psychologically and physically via sleep and deep (REM) RAPID EYE MOVEMENT then Cognitive Development is destroyed.</p> <p>Children have enough issues with social media, peer pressure and past Covid -19 issues to allow SB26-098 pass.</p> <p>Please be mindful of the Children who have no voice in an adult world making choices for them. PLEASE, PLEASE REMEMBER , HARDSHIPS THAT YOU ENDURED BETWEEN THE AGES OF 5 - 21yrs</p> <p>Sincerely,</p> <p>Christin Rising Owner of a home one mile from Ford Amphitheater Mom of 3 Children under 18yrs.</p>
<p>Colleen O'Brien</p> <p>For themselves</p>	<p>Colorado House Transportation, Housing, and Local Government Committee</p> <p>Hearing on SB26-098</p> <p>Tuesday, April 7 at 1:30pm</p> <p>Testimony: Colleen O'Brien</p> <p>My name is Colleen O'Brien and I live in Denver, near Washington Park. I'm writing as a straightforward constituent and someone who loves live outdoor music, spends time at beer gardens and local venues around Wash Park, and makes it to Red Rocks as often as I can.</p>

	<p>Live outdoor music is one of the best parts of life in Denver. It's how neighbors connect, how we enjoy our summers, and frankly a big part of why people choose to live in this city. The idea that legal uncertainty from the Hobbs ruling could chip away at that "fewer shows, venues pulling back on programming, events that just don't happen" is genuinely concerning to me.</p> <p>SB 26-098 is a commonsense fix that lets local governments do what they do best: work with their communities to find solutions that fit. I urge you to SUPPORT this bill.</p> <p>Thank you.</p>
<p>Craig Kaiser Against themselves</p>	<p>Dear Committee, I am speaking in support of the residents of Colorado to protect their health and quality of life from excessive and harmful noise. The Colorado Noise Abatement Act was passed fifty six years ago because the legislature recognized the harmful health affects from excessive noise. The danger is not diminished, but has only grown, with more sophisticated sound systems used by bars and other entertainment venues, larger motorcycles, more construction and simply a larger, denser, urban population.</p> <p>The greatest risk of SB26-098 is that it puts local residents and their communities at a disadvantage to the outsized resources of businesses who can afford to finance projects that benefit the absent owner at the expense of the local community. The classic example of this negative consequence is big box retailers damaging the economics of a community by driving out small locally owned stores.</p> <p>Please recognize the real and growing health risk of noise pollution and keep the playing field level across Colorado by protecting communities from corporate indifference. Please, Vote No on SB26-098.</p> <p>Sincerely, Craig Kaiser</p>
<p>Dan Matovic For themselves</p>	<p>April 6, 2026 Colorado House of Representatives 200 E. Colfax Avenue</p>

	<p>Denver, CO 80203</p> <p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:</p> <p>My name is Dan Matovic, and I am a musician based in Denver, Co. I write to ask for your YES vote on Senate Bill 26-098.</p> <p>I have lived in Denver for sixteen years. I have had the pleasure of performing all over Colorado for ten years at venues, restaurants, and bars that issue noise permits to allow us to play. I truly believe it is a privilege to be in an industry I love and entertain the communities I connect with.</p> <p>PLEASE vote yes!</p> <p>Respectfully, Dan Matovic</p> <p>Musician</p> <p>Denver, Co</p> <p>Danmatovic8@gmail.com</p> <p>(983) 220-5849</p> <p>Pm</p>
<p>Dana Lodico</p> <p>None</p> <p>Institute of Noise Control Engineering (INCE-USA)</p>	<p>This statement is being submitted by the Institute of Noise Control Engineering of the USA (INCE-USA). INCE-USA is a non-profit professional society engaged in the study and practice of all areas of noise control. The Institute is made up of a group of approximately 1,000 noise control professionals who work in a variety of organizations in consulting, academia, government, and industry.</p> <p>Senate Bill 26-098 (SB26-098) has been brought to our attention, as it may affect noise limits in communities within the State of Colorado. The bill contains language that would provide local governments latitude to permit sound emission levels from a property that "may be more or less restrictive" than current State noise limits (Colorado Revised Statutes [CRS] 25-12-103) and would allow a non-profit entity to permit exemptions from the noise limits to its lessees or other persons using its property for certain types of events.</p> <p>INCE-USA acknowledges that noise regulations and related standards (e.g., noise level limits) can and do evolve at county and municipal</p>

	<p>levels across the US. It is in the best interest of the community, government, and business enterprises that State and local noise regulations are written in a way to clearly and effectively address community noise concerns and reduce community annoyance, while balancing economic and other factors. INCE-USA represents a population of independent resources, including many here within the State of Colorado, which can help inform stakeholders and decision-makers. The goal is to provide regulatory outcomes which are most likely to appropriately address noise concerns amongst many other factors and considerations that arise with these regulation, policy, and standards evolution opportunities. INCE-USA encourages government officials and the larger community to reach out to noise control subject matter experts for help in drafting local noise related regulations and for guidance in developing effective noise mitigation approaches that meet these limits and are likely to result in community compatibility and acceptance. To view a list of our members, which is searchable by State and area of focus, go to our website at www.inceusa.org. Our searchable database is available at https://portal.inceusa.org/Portal/INCE_USA_Directory/Guest_Directory.aspx. Thank you.</p>
<p>Elizabeth Skrzypczak-Adrian For themselves</p>	<p>Dear Members of the Colorado House Transportation, Housing & Local Government Committee,</p> <p>My name is Elizabeth Skrzypczak-Adrian. I serve on the Frisco Town Council and I operate Rocky Mountain Coffee Roasters in town. I write in strong support of Senate Bill 26-098 and urge your YES vote.</p> <p>One of the things I believe most deeply about local government is that it exists to reflect the specific needs and character of the community it serves. Frisco is a mountain town. Our residents, our workforce, and our visitors experience community life differently than people in a Denver suburb or a rural plains community. The decisions we make about land use, housing, public safety, and yes “live music and community events” need to be made by the people who know this place best. The Colorado Supreme Court's ruling in <i>Hobbs v. City of Salida</i> undermines that principle by stripping local governments of the authority to manage noise permits in ways that work for their own communities.</p> <p>As a small business owner, I also feel this practically. Live music and outdoor events bring people into town, keep them on Main Street longer, and create the kind of energy that supports every business in the community “including mine. Legal uncertainty discourages venues</p>

	<p>from programming and operators from investing. That ripple effect is real.</p> <p>Keeping Frisco vibrant and full of residents, workers, families, and visitors requires giving local governments the tools to support the experiences that make people want to be here. SB 26-098 does exactly that. I urge you to vote YES.</p> <p>Respectfully,</p> <p>Elizabeth Skrzypczak-Adrian</p>
<p>Evan Austin For themselves</p>	<p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing and Local Government Committee:</p> <p>My name is Evan Austin, and I am a musician based in Denver, Co. I write to ask for your YES vote on Senate Bill 26-098.</p> <p>I depend on my live music to sustain an existence. You have no idea how important this is as a young musician. I look forward to contributing to live music in Colorado for years to come.</p> <p>I am grateful for your support and respectfully urge a YES vote on SB 26-098.</p> <p>Respectfully,</p> <p>Evan Austin</p>
<p>Geoffrey E O'Connor Against themselves</p>	<p>As a U.S. citizen and a parent who is aware that the proposed alterations to this bill could impact communities across the U.S., I would like to contribute my opinion regarding the changes to Bill SB-26 098. Handing control of such a bill over to local communities and taking it away from the state, puts citizens at risk of being subject to increased sound levels by more powerful individuals and business establishments that would use excessive sound levels to promote their businesses at the expense of the health and psychological well being of local citizens who don't have the resources to fight such actions in their community. This bill is informed by state representatives drawing from the expertise that addresses the needs and concerns of local citizens and should be respected. Please do not alter SB26-098 so that we may all live in harmony and in peace. Thank you for this opportunity to testify.</p>
<p>jeany rush</p>	<p>TO: HOUSE TRANSPORTATION HOUSING & LOCAL GOVT. 4-7-26</p>

<p>Against themselves</p>	<p>TO: SENATE LOCAL GOVERNMENT & HOUSING</p> <p>RE: SB26-098 STATE & LOCAL NOISE ABATEMENT AUTHORITY</p> <p>SPONSORS: L LISTON, M BALL, G RYDIN</p> <p>FROM: JEANY RUSH, COLORADO CONSTITUENT 3-12-26</p> <p>VOTE: NO</p> <p>FOLKS:</p> <p>“CAN YOU HEAR ME NOW?” “CAN YOU SMELL IT?”</p> <p>So, question, if you are alone in a forest, and shoot an explosive, will there be any noise? Or will it be considered silent, because no one is there to hear? If a company is a non-profit, or any other supposed exemption you create in your bill, will they make less noise next to a neighborhood, than a FOR PROFIT concert company?</p> <p>You might as well ask people of methane makes NOISE? Well it sure might STINK!</p> <p>For decades now Colorado has had statewide protections for many groups, and concerns, including pollution causes. Noise is also part of “Quiet Enjoyment.” When the area is already in place, you cannot, or should not suppose that you can just with the SWIPE OF THE PEN, impose on their rights in the name of Money Money Money, or Non-supposed causes. What about the rights of the masses already in place? Colorado Springs sure is an example of thoughtless development.</p> <p>Your bill is not to help non-profit organizations, it is to help FOR PROFITS get in through the back door of supposed DO GOOD! In this case the state has worked for decades to protect with accountability.</p> <p>Imposing Exemptions to non profits, or anyone about noise limits to jump over existing protection seems even Shady. Residents in local communities need protection, and not more attack by WOLVES IN SHEEPS CLOTHING! We already have let enough wolves into the state! We are virtually a GULAG. In case you have not noticed, dogs, cats, wolves have more rights of protection that women and children in Colorado. It still wants to be our PIMP DADDY! Stop opening up pandora’s box to circumvent our rights!</p> <p>You cannot keep compromising citizens rights in favor of big business, or fake non-profit causes that enable the absolute destruction of human decency, and laws of God and Man! HELLO CAN YOU HEAR ME NOW?</p>
-------------------------------	--

<p>John Cronin</p> <p>For themselves</p>	<p>April 5, 2026</p> <p>Colorado House of Representatives</p> <p>200 E. Colfax Avenue</p> <p>Denver, CO 80203</p> <p>Government Committee:</p> <p>Dear Chair Frolich and Members of the Colorado House Transportation, Housing & Local</p> <p>on Senate Bill 26-098.</p> <p>My name is John Cronin, and I am a musician based in Denver, Co. I write to ask for your YES vote I have lived in Denver for twenty-three years as a musician and perform all over the state. I rely on opportunities to perform live with my bandmates in bars and venues. I respect the delicate relationship an artist forms with the community to be allowed to entertain at venues around our beautiful state and urge you to pass this bill so we can continue to perform.</p> <p>The venues, festivals, and community spaces where I perform depend on locally issued noise permits to operate, and those permits are now on uncertain legal footing because of a recent Colorado court ruling in Hobbs v. City of Salida. The court ruled that local governments do not have the authority to issue noise permits to private businesses, which create direct consequences: fewer venues able to book performers, fewer events, and fewer opportunities for me to sustain a livelihood in Colorado.</p> <p>SB 26-098 corrects this technicality by restoring local governments' authority to issue permits and establish noise standards suited to their communities, while maintaining opportunities for artists like me to perform for our fans. It has already passed the Colorado Senate with strong bipartisan support, but we need your support to get this bill to the Governor.</p> <p>I am grateful for your support and respectfully urge a YES vote on SB 26-098.</p> <p>Respectfully,</p> <p>John A Cronin</p> <p>Musician</p> <p>Denver, Co</p> <p>Jcronin303@gmail.com</p> <p>(303) 669-1084</p>
--	---

<p>John Horan For themselves</p>	<p>200 E Colfax Avenue Denver, CO 80203 Dear Chair Frolich and Members of the Colorado House Transportation, Housing & Local Government Committee: My name is John Horan, and I a musician based in Denver, Co. I write to ask for your YES vote on Senate Bill 26-098. I have lived in Denver for thirty-five years and performed as a drummer in venues all over Colorado. The venues, festivals, and community spaces where I perform depend on locally issued noise permits to operate. and those permits are now on uncertain ledal footing because of a recent Colorado court ruling in Hobbs v. City of Salida. The court ruled that local governments do not have the authority to issue noise permits to private businesses, which create direct consequences: fewer venues able to book performers, fewer events, and fewer opportunities for me to sustain a livelihood SB 26-098 corrects this technicality by restoring local governments' authority to issue permits and establish noise standards suited to their communities, while maintaining opportunities for artists like me to perform for our fans. It has already passed the Colorado Senate with strong bipartisan support, but we need your support to get this bill to the Governor. I am grateful for your support and respectfully urge a YES vote on SB 26-098. Respectfully, John Horan</p>
<p>Katherine Gayle Against themselves</p>	<p>Local control has failed. You can't delegate public health decisions to Local municipalities who are easily swayed by money and power brokers. This bill is JWRoth/Venu attempt to do an end run around the property rights of 1000s of home owners who have a cause of action against Venu and Colorado Springs only because of the NAA. SB 26- 098 would permanently eliminate any hope we have of protection and redress.</p>

	<p>This destroys our quiet enjoyment of our property to benefit one business whose testimony is based on misrepresentations.</p> <p>Colorado has a wonderful successful music scene and has had for the 55 years that NAA has been in effect.</p> <p>Don't gut our protection. This law would be detrimental.</p> <p>We are here because Local governments have failed in representing their citizens.</p>
<p>Katherine Kent Against themselves</p>	<p>If men were angels, no government would be necessary. I am very concerned that SB 26-098 does not account for a combination of a bad-neighbor company and a city administration that favors businesses over the health and well-being of residents. I hope that this will not be my city this time around but even if it is not, it could be another city in Colorado. Â</p> <p>In 2018 a California company named 3G Venture bought a facility across from my house in Colorado Springs to operate a Bitcoin mining farm. Residents describe the noise as torment that was never fully resolved by the company or the city at the time. 24/7 noise well above the acceptable level for a residential neighborhood. Some thought it sounded like constant overflight by B-52 bombers. The only silence the neighborhood had at the time was from its elected officials. What truly stopped the noise was the fall of the price of Bitcoin in 2022. Nothing to do with the wellbeing of residentsâ€¦ just profits. Â</p> <p>The same company still owns the facility that has been proposed by another out-of-state company for an even larger and noisier project to operate a data center. The City of Colorado Springs is allegedly fast-tracking the planâ€™s approval, but many in the community have serious questions. There are concerns about the management and design of the project, noise mitigation requirements, and the lack of environmental and residential impact studies. Â</p> <p>The information coming in from all over the country shows there may be some very significant health issues for nearby residential neighborhoods, especially related to noise.Â AsÂ the mother of very young children I have serious concerns about my childrenâ€™sÂ health with the noise a data center in my backyard would bring.Â</p>

	<p>The Intel chip factory that operated in the facility prior to 2018 was by all accounts a good neighbor. It is possible for companies to be good neighbors, but strict regulations on noise allow residents to live with the bad neighbors. The City of Colorado Springs has also unfortunately seen this example with the Ford Amphitheater.Â</p> <p>There are no safeguards in SB 26-098 for a situation like this. A waiver could be provided to a company like 3G Venture, and neighborhoods like mine would have absolutely no recourse. While I support local government rights, I think it has been proven that noise abatement is an area where state-level regulation will protect the health and well-being of the people of Colorado.</p>
<p>Larry Huddle Against themselves</p>	<p>Please vote against SB26-098. The loud concerts make it impossible for my son and his family to sleep. He has to keep his home closed and incur the expense of running his air conditioner. The loud concerts can be heard through closed doors and windows. Thank you for your consideration.</p>
<p>Les Blomberg Against Noise Pollution Clearinghouse</p>	<p>Please vote no on SB26-098. Weakening environmental regulations at the state level while federal environmental protections are being gutted is poor public policy that does not benefit the citizens of Colorado. The consequences of environmental noise to individuals include sleep loss and cardiovascular effect. To communities, the cost is more conflicts. Reducing protections for environmental noise is planning for incivility and conflict within a community. At this time in our history we need to create public policies that respect science, protect health, and reduce conflicts within our communities. Strengthening, rather than weakening environmental protections is called for.</p>
<p>Maggie Maloney For themselves</p>	<p>Colorado House Transportation, Housing, and Local Government Committee</p> <p>Hearing on SB26-098</p> <p>Tuesday, April 7 at 1:30pm</p> <p>Testimony: Maggie Maloney</p> <p>My name is Maggie Maloney. I'm an Arvada resident, I work in finance here in Denver, and I'm writing today because I care deeply about what makes Colorado such a special place to live.</p> <p>I spend a lot of time at music venues, breweries, and restaurants across our state. These places are beyond just entertainment, but they are the</p>

	<p>heart and soul of Colorado's communities. Restaurants, bars, and event spaces with live entertainment are what give towns like Telluride, Steamboat, and Breckenridge their identity, and what keep locals and visitors coming back year after year.</p> <p>That's why the Hobbs ruling concerns me. Mountain towns especially cannot afford the kind of legal uncertainty it created. These are communities where a handful of venues and event organizers carry enormous economic and cultural weight. When those businesses hesitate to book live music or scale back programming because the permitting ground has shifted beneath them, the whole town feels it.</p> <p>Local governments in these communities know exactly what their towns need. They should have the authority to work with venues and find solutions that fit. SB 26-098 gives them that. I urge you to vote YES. Thank you.</p>
<p>Margaret Toldy Against themselves</p>	<p>Please defeat SB26-098 - State & Local Noise Abatement Authority -- the noise emitted by the Ford Ampitheater is extremely disturbing. We can hear the loud bass throughout our home (with 2 x 6 wall construction) until late at night (11 pm), which disturbs our sleep and our enjoyment of our property and our ability to work, even with windows closed and fans running for background white noise. People in general, but especially the numerous doctors, pilots and other professionals in our neighborhood, have a biological need to sleep in order to be effective in their professions. Our home is about 2 miles from the Ampitheater. We feel the Ampitheater has a right to exist but has NO right to disturb the surrounding residences. The exception granted by the Colorado Spring mayor for noise has negatively affected us in El Paso County for the past two years. Please ensure that the noise is contained within the Ampitheater to protect our well-being, our health and our environment.</p>
<p>Martin Lavine For themselves</p>	<p>My name is Marty Lavine, and I am a small business owner based in Denver. I am writing in support of SB 26-098.</p> <p>My work often centers on bringing people into neighborhoods across the city and encouraging them to engage with local businesses. Denver's neighborhoods each have their own identity, and that identity is shaped by the businesses, events, and experiences that bring people together.</p> <p>Activity in these neighborhoods does not happen by accident. It is created through consistent programming, community events, and environments where people feel encouraged to spend time. When</p>

	<p>people are out, walking around, and exploring, it supports small businesses and strengthens the local economy.</p> <p>The ruling in Hobbs v. City of Salida created uncertain terrain for businesses to navigate to acquire a noise permit. This decision makes it much more difficult for businesses and community spaces to plan events and invest in the kind of activity that draws people into these neighborhoods.</p> <p>When that activity slows, the impact is noticeable. Fewer people come out, fewer businesses benefit, and the overall energy of a neighborhood changes.</p> <p>SB 26-098 restores local control to issue noise permits and set standards that reflect their communities. It allows decisions to be made at the local level, where there is a better understanding of how neighborhoods function and what they need to thrive.</p> <p>This bill provides clearer direction for small businesses and neighborhoods to succeed.</p> <p>For these reasons, I respectfully urge the Committee to support SB 26-098.</p> <p>Thank you for your consideration.</p> <p>Sincerely, Marty Lavine Denver, Colorado</p>
<p>Maryam Muhammad For themselves</p>	<p>This bill has a wide coalition of support because it will help revive what was once a truly great music scene in Denver, Colorado Springs and all across Colorado. Music is important to the residents and lovers of Colorado, we have to allow it maintain its importance to the people.</p>
<p>Melanie Williams Against themselves</p>	<p>PLEASE do the right thing and make sure this bill is defeated. It makes no sense and only serves greedy business owners who do not care about your constituents. Venu owner promised to be a good neighbor and we unfortunately believed him. He is behind this but don't let him bulldoze his way into getting away with lying about doing the right thing. I went to meetings early on where he said noise would not be a problem. But is IS a problem and he is trying every way he can think of to get away—even now CHANGING the law. Don't be complicit in his scheme to go back on his word and get your blessings on it.</p>
<p>Michael Hoffman For</p>	<p>Dear Chair Froelich and members of the Colorado House Transportation, Housing and Local Government Committee:</p>

<p>themselves</p>	<p>My name is Michael Hoffman, and I am a performer based in Denver, Co. I write to ask for your YES vote on Senate Bill 26-098.</p> <p>I have lived in Denver for nineteen years and performed as an artist all over the state. My work involves a multitude of collaborations with artists in a live music setting. It is imperative that, as artists, we are allowed to continue to perform with the support of local government in a friendly environment and support of our communities.</p> <p>The venues, festivals, and community spaces where I perform depend on locally issued noise permits to operate, and those permits are now on uncertain legal footing because of a recent Colorado court ruling in <i>Hobbs v. City of Salida</i>. The court ruled that local governments do not have the authority to issue noise permits to private businesses, which create direct consequences: fewer venues able to book performers, fewer events, and fewer opportunities for me to sustain a livelihood in Colorado.</p> <p>SB 26-098 has already passed the Colorado Senate with strong bipartisan support, but we need your support to get this bill to the Governor.</p> <p>I am grateful for your support and respectfully urge a YES vote on SB 26-098.</p> <p>Respectfully, Michael Hoffman</p>
<p>Michael Osborne Against themselves</p>	<p>Chronic exposure to noise has been repeatedly associated with cardiovascular and metabolic disease. Two of the primary mechanisms by which this occurs involve activation of the stress response and contributions to sleep disruptions. Importantly, these effects occur whether or not the noise is considered annoying or sleep is disrupted. Further, there is no evidence that it is possible to simply acclimate to noise exposure. In fact, repeated noise exposure actually causes a priming effect wherein there are accentuated responses to future exposures. Our research has shown that chronic noise exposure associates with alterations in brain regions that are involved in the stress response, including an important fear center called the amygdala. These brain changes contribute to activation of the “fight or flight response” and the release of stress hormones. These effects lead to greater inflammation in the body and, specifically, in the arteries, which contributes to artery disease and an increased risk for cardiovascular events, like heart attacks. These brain changes also worsen the body’s ability to metabolize sugar and the development of obesity, which can lead to diabetes and other risk cardiovascular factors. Notably, certain individuals may be more susceptible to the adverse impacts of noise exposure, including those with pre-existing cardiovascular or psychiatric disease or those with co-exposure to</p>

	<p>other social or environmental stressors, such as adverse socioeconomic status and high levels air pollution. Therefore, noise exposure must be considered a universal stressor and a public health concern. It is vital for the health and wellbeing of the citizens of your state to maintain uniform regulation over noise to minimize these impacts.</p>
<p>NATHAN NEWBROUGH For Colorado Springs Philharmonic</p>	<p>I write in strong support of Senate Bill SB26-098 and urge approval of this measure to support local control.</p> <p>Our Colorado Springs Philharmonic has performed for the Fourth of July for more than 50 years. In most years we performed in a park surrounded by neighborhoods. It would have been impossible to deliver these events within the State maximum of 50 decibels. (For comparison, 50 decibels is the level of a quiet conversation or an electric toothbrush heard from a few feet away.)</p> <p>Communities must have the self-determination to decide these limits for themselves. In Colorado Springs, our elected officials can be trusted to decide standards for noise that will balance community needs.</p> <p>Thank you for your kind consideration. Please vote YES on SB26-098.</p> <p>Sincerely, Nathan Newbrough, President and CEO Colorado Springs Philharmonic</p>
<p>Nathan Randall Against themselves</p>	<p>I am a resident of unincorporated El Paso County, just north of the Colorado Springs city limits, and I urge you to oppose SB26-098.</p> <p>Several nights per week, in season, I can hear and feel the noise from Ford Amphitheater for hours at a time—“from afternoon soundchecks through performances, often 7:00—11:00 p.m. What reaches my home is not music, but a repetitive, percussive thump that penetrates the house and disrupts normal life.</p> <p>This ongoing noise affects my quality of life, my ability to enjoy my home, and my property value. It is not minor—it is persistent and intrusive.</p>

	<p>This type of repetitive bass noise is already addressed in Colorado Springs, El Paso County, and state noise laws. Yet Ford operates under a city waiver intended for temporary, necessary sounds like sirensâ€”not ongoing impacts from a for-profit venue.</p> <p>Because Colorado Springs issued that waiver, the El Paso County Sheriff has declined to enforce county protections, even though the impacts occur outside city limits. I am left with no meaningful recourse.</p> <p>I have no representation in Colorado Springs. I cannot vote for its mayor or council. Yet their decisions directly impact my home. SB26-098 would worsen this by allowing cities to authorize noise that harms neighboring communities.</p> <p>Pollution does not stop at city boundaries. Noise that invades homes is no different in principle from air or water pollution. We would never allow a business to push those impacts into another community. Noise should be treated the same way.</p> <p>Ford Amphitheater has had opportunities to address these impacts and has failed to do so. Residents are left to bear the burden.</p> <p>Please oppose SB26-098 and preserve meaningful protections for residents.</p> <p>Local control is not real local control when the harmed residents live outside the city making the decision.</p>
<p>Paula Randall Against themselves</p>	<p>I am a homeowner living in El Paso county but not within the city of Colorado Springs. Since the opening of the Ford Amphitheatre, I have been plagued with noise from the amphitheater. Ford Amphitheatre is a for profit enterprise and holds concerts during the late spring, summer and early autumn. The noise is consistently above 50 dB and always is percussive in nature. I can hear and feel it in my home while watching TV.</p> <p>If SB26-098 passes, people like me, who don't live in the boundary of the city of Colorado Springs have no say in the noise limits put on the</p>

	<p>Ford Amphitheatre. (I can't vote for the mayor and I don't have representation on the city council.) Sound is a funny thing and doesn't stop at a geographical boundary line, defined by politicians. The sound from Ford Amphitheatre goes into El Paso county and the residents hear it in their homes during concerts.</p> <p>It is a very naive statement to encourage everyone to work together to "address this issue". In the two concert seasons that the Ford Amphitheatre has been in operation, the owners of the Ford Amphitheatre have not taken adequate steps to prevent the excessive noise.</p> <p>Your vote against this bill would protect my rights as a citizen of Colorado greatly.</p>
<p>Sarah Woodson For The Cannabis Experience</p>	<p>Written Testimony in Support of SB26-098</p> <p>Chair and Members of the Committee,</p> <p>My name is Sarah Woodson, and I am the owner of The Cannabis Experience, a cannabis business tour company rooted in community, education, and economic opportunity. I am writing in support of SB26-098.</p> <p>As a small business owner in Colorado's cannabis industry, I see firsthand both the opportunities and the barriers that exist within this space. While this industry has generated significant revenue for the state, access to that opportunity has not been equitable. Many small, locally owned, and minority-owned businesses continue to face challenges in accessing capital, navigating regulations, and sustaining long-term growth.</p> <p>SB26-098 is an important step toward addressing these disparities. Policies like this help ensure that the benefits of this industry are more broadly shared and that small businesses have a fair chance to succeed. When we support equitable access, we strengthen not only individual businesses but entire communities.</p>

	<p>In districts like mine, where poverty remains high and economic mobility can be limited, small businesses are a critical pathway to stability and wealth-building. Supporting policies that reduce barriers and expand opportunity is essential to creating a more inclusive and sustainable economy.</p> <p>I urge the committee to support SB26-098 and continue advancing policies that promote fairness, access, and long-term success for small businesses across Colorado.</p> <p>Thank you for your time and consideration.</p> <p>Sincerely, Sarah Woodson Owner, The Cannabis Experience Aurora, Colorado</p>
<p>Stephanie Knudson Against herself</p>	<p>Chair and members of the Committee,</p> <p>My name is Stephanie Knudson. I am a physician and a resident of Littleton, Colorado, speaking today in opposition to SB26-098.</p> <p>I want to be clear: this is not about any one activity or any one neighbor. It is about something much broader and more important – recognizing noise for what it is: a form of pollution.</p> <p>As a medical doctor, I see firsthand how environmental stressors affect human health. Noise is not just an annoyance. It disrupts sleep, increases stress, impairs concentration, and over time contributes to serious physical and mental health impacts. That is why, for more than 55 years, Colorado has maintained statewide minimum noise protections. These are not arbitrary – they reflect a basic public health safeguard.</p> <p>In my own life, I have experienced what happens when those protections fail. There have been periods where intrusive, repetitive noise has permeated nearly every room in my home for hours on end,</p>

	<p>making it impossible to rest or recover. I have had to rely on noise-canceling headphones or leave my own house just to find relief.</p> <p>This isn't just inconvenient – it affects my ability to do my job safely and effectively. After one particularly difficult stretch without adequate rest, I found myself exhausted and distracted at work in a way that no physician should be. That experience was a wake-up call: noise exposure is not trivial. It has real consequences.</p> <p>And importantly, local processes have not always provided meaningful protection. When residents are outnumbered or when competing interests are at play, individuals can be left without recourse.</p> <p>That is exactly why statewide minimum standards matter. Just as we would never allow local waivers for clean air or safe drinking water, we should not allow a patchwork system for something that directly affects human health.</p> <p>SB26-098 would allow for-profit entities to bypass those longstanding protections entirely through local permits, with no meaningful limits. That is not a small policy change – it is a fundamental shift away from treating noise as a public health issue.</p> <p>I am asking you, as both a physician and a Colorado resident, to preserve these commonsense safeguards.</p> <p>Please vote no on SB26-098.</p>
<p>Stephen Jones Against themselves</p>	<p>In 1997 we purchased an historic home in the center of Bridgehampton (NY) village and spent the next several years fixing it up. The trend in those days was to tear down old houses, but we wanted to help keep the historic character of the village. The intent was to have this as a summer house when i retired. It had a beautiful outdoor living space, with trimmed hedges, architectural stone wall, and trellised flowers. The swimming pool was sunny and private. It was an idyllic property that was an easy walk to the quaint shopping area and transportation.</p> <p>However, upon retirement in 2010 I discovered that my image of a peaceful and quiet retirement, especially in the outdoor area, was never</p>

	<p>going to happen. Bridgehampton generally, and our property in particular, was nice to look at, but it was miserable to live in. The problem was unrelenting noise from landscape equipment, particularly from gas powered leaf blowers. It began at seven in the morning, and extended beyond seven at night. It had a disturbing quality near and far, owing to the low frequency sound output.</p> <p>At first I tried to deal with the noise by wearing a set of noise cancelling headphones. That didn't work.</p> <p>Then I would retreat into the house and that was no better.</p> <p>I closed all the doors and windows, still unable to escape the noise</p> <p>I installed a db meter on my iPhone and found that when the landscaper was working on the property across the street, the noise that came through reached 70db in my living room.</p> <p>I tried to coordinate with my neighbors to have all the landscapers work on the same day of the week. It would have been easier to sell bibles door to door than to accomplish such coordination.</p> <p>It was such an outrage I went to the town hall and complained about the noise. I learned that the noise code exempted landscapers from the decibel limits imposed on others. Our attractive, leafy neighborhoods had been converted to industrial zones. The most recent modifications to the noise code were 30 years old.</p> <p>I learned that landscapers had a lot of local influence, and they objected to any kind of reform.</p> <p>Bottom line, i was furious that I was deprived of the peaceful and quiet enjoyment of my property.</p> <p>And despite years of investment and careful restoration of the home, and my high hopes of having it as my retirement home, I concluded that I could no longer tolerate the noise, nor the inability of town authorities to confront the issue, so I sold the property and moved on.</p>
<p>Tom Flanagan For themselves</p>	<p>Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee,</p> <p>My name is Tom Flanagan, and I am one of the owners of Carboy Winery in Palisade (as well as Breckenridge, Denver, Littleton, and Colorado Springs). Our community is one where people know one another, care about each other, and want to spend time with their neighbors. I write to you today because those connections are worth protecting, and because the Colorado Supreme Court's ruling in Hobbs v. City of Salida puts them at risk.</p>

	<p>The ruling took away our town's authority to issue noise permits for businesses like mine, changing the rules around how restaurants, bars, music venues, and event spaces can operate. These are the places where Coloradans gather with friends and family, and where visitors experience the hospitality that makes our state so special. By making it more difficult for local businesses to comply with noise rules, the ruling threatens our ability to continue doing what we love.</p> <p>What concerns me most is the loss of local control. Nobody knows a community better than the people who live and work there. The rules that make sense in Estes Park or Breckenridge may not work for Palisade. The Supreme Court's ruling imposes a one-size-fits-all approach that ignores those differences and strips local governments of the flexibility they need to serve their residents well.</p> <p>SB 26-098 fixes this. It gives local electeds the authority to issue noise permits, giving businesses like mine the ability to continue hosting live music while remaining good neighbors. Colorado's dining, entertainment, and cultural community is a major part of what makes this state such a remarkable place to live and visit. This bill protects that.</p> <p>I respectfully ask that you vote YES on SB 26-098 and return that authority to the communities that know best how to use it.</p> <p>Thank you, Tom Flanagan</p>
<p>Yeti Sisay For themselves</p>	<p>SUBJ: Support SB 26-098</p> <p>April 3, 2026</p> <p>The Honorable Meg Froelich Colorado House of Representatives 200 E. Colfax Avenue Denver, CO 80203</p>

Dear Chair Froelich and Members of the Colorado House Transportation, Housing & Local Government Committee:

I Am s a 43 year old woman living in Aurora. I arrived as an Ethiopian child with the wistful dream of a community spirit in Colorado where the American dream can come true. Years later I started the first Ethiopianski day for every Ethiopian and any who wished to join to experience the glorious splendor Colorado has to offer. Please grant musicians the American dream. Let Local Authorities have the autonomy. I write in strong support of Senate Bill 26-098 and urge your YES vote.

The neighborhoods I work in every day, from Denver proper to Centennial, Cherry Hills, Lakewood, and beyond, are made stronger by the restaurants, venues, and cultural businesses that bring people together and drive economic activity. The Colorado Supreme Court's ruling in Hobbs v. City of Salida put the operating foundation of these businesses at risk, and with it, the vitality of the commercial districts that support healthy, investable communities.

SB 26-098 restores local governments' authority to issue noise permits and provide the legal clarity that residents, business owners, and real estate clients need to make sound decisions. My goal has always been to build strong relationships in our community one person at a time and that community depends on the kind of certainty this bill provides.

I respectfully ask the Committee to send this legislation to the Governor's desk with a YES vote on SB 26-098. Thank you for your leadership.

Respectfully,

Yeti Sisay

Aurora, Co

	<p>Yeti.sisay27@gmail.com</p> <p>(720) 936-8682</p>
--	---

Testimony in Support of **SB26-098**; Allow local government to make decisions as to noise levels.

Submitted by:


Jan Rodine

1336 Oakmont Dr.

Colorado Springs, CO 80921

janrodine25@gmail.com

I'd like to start by saying the happiest moments in my life have always involved music to some degree. When my husband and I (both in our 60s) were house hunting two years ago, we found this house that was about 1 mile from the then proposed new amphitheater about to be built in Colorado Springs, and were very excited that we'd be walking distance to live concerts, and also hoped to be able to hear the concerts from our new house. We were a little disappointed that we can't really hear them while we are only 0.9 miles away, but still thrilled that we can walk there, which we've done several times. When we go to the concerts we like to sit up close, front and center, and have never been offended by the volume. So if we can enjoy it from the 6th row with no damage to our hearing, we can't see how it would be problematic outside the venue, but it's local government and city councils we trust to make decisions about the cities in which they reside on a case-by-case basis.



Jan Rodine

SB26-098 Testimony

Good afternoon Chair and members of the committee. I'm Zach Tucker, Vice President of Planet Bluegrass, an independent festival promoter based in Lyons. We have produced the Telluride Bluegrass Festival in Telluride, as well as RockyGrass and the Rocky Mountain Folks Festival on our event grounds in Lyons for over 25 years. The Supreme Court ruling in Hobbs v. City of Salida poses an existential threat to our events, our business, the community that has built around us.

We desperately need SB98 to pass to allow us to continue to work with the Town of Lyons in collaboration on noise permitting that is sustainable for our unique geography, community, and event style.

Our Festival grounds in Lyons, known as Planet Bluegrass are the perfect example of local permitting working effectively for years to the benefit of a business and a community. Our zoning within the Town of Lyons sets clear limits on our events and requires extensive public input through multiple hearings in order to update. This has allowed us to build a successful event venue while helping the Town of Lyons grow into a mecca for musicians and artists.

There are numerous things that make our venue unique, including the beautiful river that flows through it, the stunning cliffs that surround it, and its proximity to parks & businesses in Lyons. These unique features set us apart from every other venue in the state, but also have unique impacts on how noise permeates out. These can't be accounted for with a blanket restriction.

The residents of Lyons understand that the Town was built hand in hand with live music. Live music keeps its restaurants full and open, live music keeps it on the national radar, and live music improves the quality of life that we all enjoy. Citizens have filled Town Hall to speak in staunch support of all of our live music venues. It doesn't make sense for the state to put a blanket limit on this music, that is impossible for any outdoor venue to adhere to. Instead, let our local governments – who understand the nuances and needs of our community - do the work, have the conversations, and create the partnerships we need to find the right solution for each municipality. If not for this exact scenario, what is the point of local government?

I truly feel that in this day and age, the importance of being able to bridge our differences and gather around live music is more important than ever. Planet Bluegrass is proof that local permitting has been working for over 25 years, and that relationships between venues

and Towns can be the key to beautiful success, hand in hand. Thank you for your consideration.

12434 Broad Oaks Drive
Colorado Springs, CO 80921
March 20, 2026

Colorado House Transportation, Housing & Local Government Committee
Colorado Legislature
200 E. Colfax Ave
Denver, CO 80203

Re: Opposition to Senate Bill 26-098 (Gutting of the Noise Abatement Act)

Dear Chair Froelich and Esteemed Committee Members:

My name is Joel Miller. I am a former Colorado Springs City Council Member and an attorney. I live in the shadows of the Ford Amphitheater in Colorado Springs. I strongly oppose Senate Bill 26-098, which seeks to undermine the protections of Colorado's longstanding Noise Abatement Act and the Colorado Supreme Court's decision in *Hobbs v. City of Salida*.

This bill, presented as "reestablishing local authority," would in practice grant local governments broad power to issue noise exemptions or permits to private, for-profit entertainment venues like the Ford Amphitheater—allowing them to exceed statewide noise limits to **any** levels at the direct expense of nearby residents' health and peace, and the violation of their property rights in violation of the Fifth Amendment. Passing this bill would eliminate a backstop heretofore provided by responsible state legislators to the excesses of local government. This bill is a direct legislative response to the *Hobbs* ruling, where the Colorado Supreme Court correctly held that local governments cannot issue noise exemptions to private commercial entities, as this would effectively nullify the uniform statewide standards set by the legislature in 1971 under the Noise Abatement Act (C.R.S. 25-12-101 et seq.). It is also worth stating that for many of the residents who live in range of the theater's excessive noise, there is no "local control" since those residents live in unincorporated El Paso County and have no voice in the Colorado Springs city government that has essentially waived all limits and standards. This bill is the water pollution equivalent to allowing local governments to waive any limits in the national EPA stormwater permit standards and then telling the people downstream along Fountain Creek in Pueblo that Colorado Springs has decided to waive all EPA standards and if they have a problem with it, to go ahead and contact Colorado Springs. How many members of this committee would be ok with that? Yet here, because the noise pollution is wrongly written off as not a real threat to health and general welfare, your ears have been filled with the whispers and screams of a lobby that try to justify such toxic pollution as ok because it will generate more tax revenue.

The Noise Abatement Act's uniform statewide standards—such as limiting residential areas to 50 dB(A) at night—are not arbitrary; they exist to prevent noise from becoming a public nuisance and to protect Coloradans from its well-documented harms. Indeed, developers of the Ford Amphitheater, when seeking approval of the project in front of Colorado Springs City Council pinky promised to stay under that 55-year-old limit—at 47 dB. When the first season began to blast noise to thousands of residents in excess of 60 dB (Before the *Hobbs* decision curtailed such practices), the City of Colorado Springs allowed noise levels up to 57 dB(A) and unlimited when considering other factors such as wind and duration. You should all note that even a seemingly modest 7 dB increase over the statewide 50 dB(A) nighttime residential limit is a massive increase. That is because the decibel scale is logarithmic; a “small” 7 dB jump means roughly **5 times** more sound intensity and nearly **twice the perceived loudness**, turning quiet neighborhoods into ones that are breeding grounds for adverse health effects associated with such noise.

As someone who lives about 1.4 miles from the Ford Amphitheater, during concerts, the noise from the venue literally shakes the windows at my home. Most of the thousands of residents within a couple miles must forego the beautiful Colorado summer evening air, shut their windows and keep the air conditioning running just to have any semblance of peace. And even still—with the windows closed—they can make out the sometimes foul words being uttered by artists because of “local control.” One proponent of this bill who testified in a Senate committee earlier in the month and whose business profits from outdoor concerts touted “the outdoor culture of Colorado.” What about the outdoor culture of citizens at their homes?

Our neighborhood, as were most nearby neighborhoods, was established as a residential area, predating the amphitheater by decades. The venue only broke ground in 2023 and opened in 2024. This sequence makes nuisance claims especially valid, as residents did not “come to the nuisance”—the nuisance came to us, without any prior notice in our property deeds or expectation of such intrusion. In stark contrast, neighbors have long been patient and accepting of the extensive daytime air traffic noise from the nearby U.S. Air Force Academy airfield, which predictably ends when the sun goes down and for which our property deeds include explicit notices or avigation easements providing fair warning. No comparable notice exists for the amphitheater's frequent nighttime concerts that last until 11:00 pm or later. Hundreds of similar complaints from neighbors have been documented and thousands more have gone unreported because of the perceived futility of fighting big entertainment colluding with local government for profits and tax revenue. In fact Code enforcement will not even take a complaint for the theater anymore, because of their numerosity. The Noise Abatement Act was passed and supported by Colorado legislature supermajorities to prevent exactly this scenario and to be a back stop for “local control” gone wild.

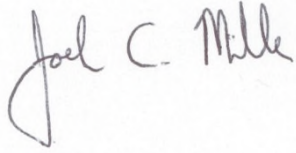
SB26-098 appears to be driven by special interests in the entertainment industry—venue owners like JW Roth, the owner of the Ford Amphitheater, promoters such as the Anschutz-affiliated AXS and AEG and other affiliated businesses—who stand to gain financially from louder, more frequent events without the constraint of enforceable statewide limits. A representative from AEG testified at a previous committee hearing, stating, “we [AEG] need to be protected [from having to comply with NAA]!” I would like to think the Colorado House would at least consider protecting the citizens of Colorado over protecting the Anschutz Corporation. Besides the private profits this bill protects, local officials have touted potential tax revenue, highlighted on Colorado Springs’s own Ford Amphitheater project page, creating a conflict of interest for local officials in being arbiters of justice. It’s also important to keep in mind—speaking of conflicts of interest—Colorado Springs has virtually no limits on campaign donations. How’s that for local control? As one example of how local public officials have sacrificed citizen property rights, health and safety for tax revenue, the current Mayor of Colorado Springs, Yemi Mobolade, has issued blanket waivers in the form of “noise hardship permits” to local noise limits for the Ford Amphitheater, effectively allowing unchecked exceedances without broader accountability. Moreover, there is no real-time noise control during shows; while data is collected via monitoring stations, it is not made available to the public and has no effect on power levels of amplifiers blasting the music. In addition, to illustrate the meaninglessness of the “limits” imposed by the hardship permit, all readings are disregarded any time the wind exceeds 5 miles per hour—a condition that rarely, if ever, occurs. Again, “local control” fails here. The theater has touted the fact that they have “never” exceeded the meaningless parameters of the permit, which should tell you all you need to know about how well local control has worked to protect citizens.

This bill would sanction—under the guise of increased revenue—the administrative taking of private property rights in contravention of the Fifth Amendment of the US Constitution. It would hand venue operators a "blank check" for unlimited noise, eroding the uniform protections that have safeguarded communities statewide for over 50 years through multiple state governments spanning both major political parties.

We do not need to weaken these laws to support economic activity. Venues can and should invest in better sound engineering, directional speakers, earlier curfews, fewer high-volume events, and live, active management of noise levels if they want to park themselves in a residential neighborhood. True community benefit does not require sacrificing the well-being and property rights of residents. It also doesn’t require the theater to close—it just needs to have a modicum of respect for neighbors to monitor and adjust to keep the noise under the limit.

I strongly urge committee members to vote no on SB26-098. Preserve the Noise Abatement Act and the *Hobbs* decision's protections for residents like me and thousands of other Coloradans who simply want to maintain the right of quiet enjoyment of our homes.

Respectfully,

A handwritten signature in black ink that reads "Joel C. Miller". The signature is written in a cursive style with a large, sweeping initial "J".

Joel C. Miller
Former Colorado Springs District 2 Council member
Attorney at Law

Madam Chair and Committee Members, my name is Kate Kent. Thank you for reading this today. I unfortunately had to leave before speaking due to a prior community commitment, but I am writing on behalf of myself, as the mother of two young children. I am very concerned that SB26-098 will result in unnecessary misery for residents in Colorado. The bill does not account for companies or individuals at the city level that may not be considering the health and well-being of residents. It does not account for 24/7 operations. We've had this happen in El Paso County and this bill would make it easier for it to happen in another city in Colorado.

You're going to hear plenty about the Ford Amphitheatre today, but I have a different example. In 2018 a company bought a facility across from my house to operate a Bitcoin mining farm. Neighbors describe the noise as constant overflight by B-52 bombers, a torment that was never resolved by the company or the city at the time. Noise well above the acceptable level for a residential neighborhood, constantly, for 4 years. What stopped the noise was the fall of the price of Bitcoin in 2022 and company profits.

When we are talking about the consistent and unending noise that comes from 24/7 operations like data centers, we need to think of it a little differently than just a nuisance.

As Data centers move into Colorado, we're not talking about intermittent or 9 to 5 noise. The information coming in from all over the country shows there are significant health issues for nearby residential neighborhoods consistently exposed to noise, including stress, heart disease risk, sleep disturbances, and impaired learning in children. I have serious concerns about what unchecked noise would mean for the health and development for my children and those in nearby neighborhoods.

It is possible for companies to be good neighbors but stricter regulations on noise allow residents to live with the bad neighbors. There are no safeguards in the bill for situations like this. Neighborhoods like mine would have absolutely no recourse. While I support local government rights, noise abatement is an area where state-level regulation erring on the side of quieter will protect the health and well-being of the people of Colorado. I ask that you do not pass SB26-098, which would be so easily and quickly abused at the city level.

If anything, I hope that instead efforts are directed towards upholding the Colorado Supreme Court's ruling that local governments cannot override state law to allow noise in excess of the state noise pollution standards, and even strengthen the protections afforded by the existing 1971 Noise Abatement Act.

TO: The Members of the House Transportation, Housing & Local Government Committee, the Full Membership of the Colorado House of Representatives, the Colorado State University Board of Governors, and Colorado State University Leadership

RE: FORMAL NOTICE OF POTENTIAL LIABILITY REGARDING SB26-098 AND PROPRIETARY UNIVERSITY OPERATIONS

I, **Daniel Silvas**, of **808 Birky Place, Fort Collins, Colorado 80526**, am providing this **Formal Notice of Potential Liability** regarding the support of SB26-098. This notice serves to inform both the legislative body and University leadership that continued advancement of this legislation is a direct attempt to circumvent constitutional protections and established Supreme Court precedent.

It is deeply concerning that the Senate passed SB26-098 on March 18, 2026, in a manner that I believe was **Arbitrary and Capricious**. There was no intellectual discussion of the **7-0 Supreme Court ruling in *Hobbs v. Salida* (2025)** during the Senate floor debate or the committee process. By rushing to bypass the Court without even mentioning that binding law, I believe you are engaging in **Willful and Wanton conduct**. In my view, this constitutes **State-Sponsored Harm**.

1. The Supreme Court Overrides This Legislation (*Hobbs v. Salida*) The 7-0 ruling in *Hobbs v. Salida* (2025) is the supreme law of the state. It overrides any "End-Run" bill. I remind you of the Court's binding words:

"When a government entity engages in proprietary, for-profit activities... it does not enjoy a 'blank check' to ignore the very local protections designed to safeguard the community."

2. Personal Liability for Wanton Conduct Because you have now been formally notified of this 2025 precedent, I believe any further push for SB26-098 in the House is a **Wanton act**. This removes the shield of immunity. I believe that you can and will be held personally liable for the harm caused by this deliberate attempt to bypass constitutional protections.

3. Abandonment of the 1862 Morrill Act Mission CSU's land was granted for education and agriculture. High-revenue concerts, football games, and commercial events are **Proprietary Activities**. When acting as a business, the University must follow the State Noise Abatement Act (CRS § 25-12-103).

4. Fiscal Responsibility (The \$40M Deficit) CSU is facing a \$40M+ budget deficit. Passing a bill that invites a wave of private lawsuits is fiscally reckless. This money belongs to students, not to paying for "Willful" legal violations.

Conclusion: This notice is a public record. You have been formally informed of the *Hobbs v. Salida* (2025) ruling. **I am watching**. Be advised: **any House member who votes to pass SB26-098** is now on **formal notice**. If you choose to ignore the Constitution and proceed with this bill,

you are accepting full personal and political responsibility for the fallout, including a direct Notice of Claim for damages.

Sincerely,

Daniel Silvas 808 Birky Place Fort Collins, Colorado 80526



April 6, 2026

Members of the Colorado General Assembly,

Re: Senate Bill 26-098 – Noise Abatement and Local Authority

I appreciate the intent of Senate Bill 26-098 to restore local authority over noise abatement. Local flexibility is important, particularly for communities that rely on cultural, entertainment, and civic events.

However, as written, the bill risks removing the only consistent baseline that protects residents without replacing it with a standard that reflects how sound is actually experienced.

Colorado's current framework is based on exterior, property-line measurements. It does not account for conditions inside homes, where people live, sleep, and work. As exemptions expand, particularly for government-owned or controlled properties and permitted events, there may be situations where no meaningful standard applies at all.

We are already seeing examples of this disconnect. In Dillon, a government-owned amphitheater that is exempt from statewide limits has produced reported interior sound levels of approximately 77 dBA inside nearby homes during events. Regardless of how exterior measurements are interpreted, that level of interior exposure raises clear concerns about livability and quality of life.

This highlights a simple but important point. Sound policy should be grounded in where impacts are actually felt.

One way to address this, without limiting local authority, is to incorporate a basic expectation tied to sensitive receptors. Homes, apartments, hotels, schools, and healthcare facilities represent locations where people are most affected by sound. A statewide framework that acknowledges these receptors, and considers interior conditions as part of the equation, would provide a more balanced approach.

The goal is not to restrict events or reduce local control. It is to ensure that, as the state steps back, residents are not left without a clear and reasonable level of protection, particularly in situations where the local government may also be the operator of the sound source.

This bill presents an opportunity to strike that balance. I encourage you to retain flexibility while preserving a meaningful baseline tied to how sound is actually experienced in people's homes.

Thank you for your consideration.

Sincerely,
Don Pitts
President, Sound Music Cities

NOTE: I had planned to attend in person but am sick today, and unable to make it up. Please let me know if there are any questions I can answer. This is the testimony I had to planned to submit.

Chair and Members of the Committee,

My name is Geoff Eaton. I've lived in the Northgate area of Colorado Springs for 18 years. I'm a veteran, I'm a musician, and I support live music. I want the Ford Amphitheater to succeed.

But let me be very clear—what is happening today is not reasonable, and this bill will make it worse.

This bill does not solve a problem. It removes protections.

By weakening statewide noise standards, you are not creating flexibility—you are authorizing higher levels of noise in residential communities that are already being impacted beyond what current law allows.

We have recorded sound levels of 70 decibels nearly a mile away from the venue. Because decibels are logarithmic, that is not a small increase—this is roughly four times louder than 50 decibels.

That means what should be a quiet residential environment is instead comparable to standing 50 feet from freeway traffic—inside our homes, in our yards, at night.

And it's not just volume.

We are hearing profanity-laced lyrics and on-stage commentary clearly, inside our homes, nearly a mile away. Content that would be restricted in a theater is being broadcast into neighborhoods without consent.

That is not compatibility with a community—that is intrusion.

All of this is happening under locally authorized permits.

So the question before you is simple:

If local officials have demonstrated they will be complicit with this level of neighborhood intrusion, why would the state remove the very standard residents are relying on to protect themselves?

Because once you remove those standards, you are no longer regulating—you are deferring. And in this case, deferring to local decisions that have already demonstrated they are willing to raise limits despite nearly 1,500 documented complaints in a single year.

This bill sets a precedent.

We would never accept this approach for air pollution or water quality—yet this does exactly that for noise.

Colorado has long recognized that excessive noise is pollution, with real impacts on health, sleep, and property values. That has not changed.

What will change is your ability to protect your constituents if this passes.

And this is not just a Colorado Springs issue.

Every community in this state becomes vulnerable to the same outcome.

I support local control—but not when it comes at the expense of public health and the basic expectation that people can live in their homes without persistent, intrusive noise.

This is a line.

I am asking you to hold it.

Do not weaken the standards. Do not shift the burden onto residents. Do not set this precedent.

Protect the existing law and the people it was designed to serve, and vote NO on this proposed bill.

Thank you.

Geoff Eaton, (719)306-5277, geoffceaton@icloud.com

April 3, 2026

Chair and Members of the Committee:

Thank you for the opportunity to provide testimony on Colorado Senate Bill 26-098.

I respectfully oppose this bill. As drafted, it weakens long-standing statewide protections, introduces regulatory inconsistency, and shifts the burden of noise impacts onto local governments and, ultimately, residents.

Colorado's current framework appropriately recognizes excessive noise as a form of environmental pollution with documented impacts on sleep disruption, cardiovascular health, and overall well-being. SB26-098 undermines this framework by expanding exemptions to statewide noise limits, allowing certain permitted activities to exceed thresholds that have historically been considered protective of public health.

State standards serve an essential function: they establish a consistent baseline of protection for all residents, regardless of jurisdiction. This bill replaces that baseline with a system in which protections may vary significantly from one community to another.

I offer my perspective based on lived experience. I reside within 250 feet of an outdoor music venue in Boston, Massachusetts. Unlike Colorado, Massachusetts does not maintain enforceable statewide decibel standards, leaving municipalities to regulate independently. Boston permits relatively high daytime and evening noise levels, and the result has been significant and persistent impacts on nearby residents.

I can attest firsthand to these impacts. During operating periods, sleep is regularly disrupted. Low-frequency bass noise—particularly impulsive and repetitive—carries into my home on a daily basis. Over time, this has produced both physiological stress and diminished quality of life. The experience is not occasional; it is chronic, and it fundamentally alters how one lives in their own home.

SB26-098 risks creating a similar dynamic in Colorado by enabling a patchwork system of local regulation. This approach presents several concerns:

- Inconsistent standards across jurisdictions, leading to unequal protections
- Increased complexity in enforcement and compliance
- Greater potential for conflict between residents, operators, and local governments

Additionally, expanded local discretion may create incentives for jurisdictions to relax standards in order to attract events, entertainment, or economic activity. Over time, this dynamic can place downward pressure on public health protections, particularly in communities where economic considerations outweigh residential impacts.

The bill also shifts the balance toward permit holders and event operators while reducing protections for those most directly affected. These impacts fall disproportionately on residents living in close proximity to venues and individuals without the means to relocate.

In summary, SB26-098 replaces a consistent, statewide framework with a fragmented system that weakens public health protections, creates inequities among residents, removes a critical layer of state-level support, and introduces regulatory uncertainty.

For these reasons, I respectfully urge the Committee to vote no on SB26-098.

Thank you for your consideration.

Barbara Heller

42 Eighth Street

#4308

Charlestown, MA 02129

Vote **NO**

SB26-098

**Support
Environment, Public Health, Residents**

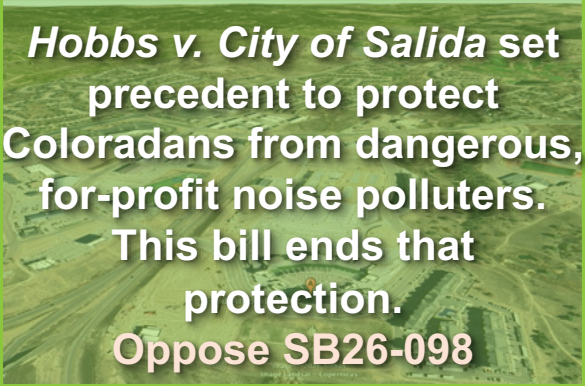
SB26-098 Benefits Corporations over People

SB26-098 will END the current Noise Abatement Act (NAA), which has been Colorado law since 1971.

Oppose SB26-098

Local Control has failed. Over 1,700 complaints against Ford Amphitheater have been ignored.

Oppose SB26-098

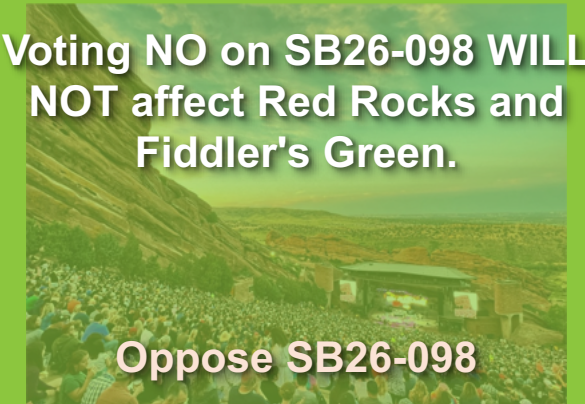


Hobbs v. City of Salida set precedent to protect Coloradans from dangerous, for-profit noise polluters. This bill ends that protection.

Oppose SB26-098

Living near a for-profit noise polluter, but outside City boundaries, allows NO local government representation.

Oppose SB26-098



Voting NO on SB26-098 WILL NOT affect Red Rocks and Fiddler's Green.

Oppose SB26-098

Hard working people and their families support the NAA and oppose noise-polluting corporations.

Oppose SB26-098



Noise Pollution Solution
PMB425 12295 Voyager Pkwy, Ste 130
Colorado Springs, CO 80921
www.NoisePollutionSolution.org
info@noisepollutionsolution.org

Vote **NO** SB26-098

Support
Environment, Public Health, Residents
*REJECT changing the Noise Abatement Act simply to
benefit the for-profit
Ford Amphitheater in Colorado Springs*

The Big Picture

- The 1971 CO **Noise Abatement Act (NAA)** regulates excessive noise as **environmental pollution that harms public health**. Passed with bipartisan supermajorities, this thoughtful balance has worked for generations.
- It establishes **uniform statewide minimum protections** and a private right of action for abatement of public nuisances so that every Coloradan receives the same baseline protections against harmful noise pollution.
- **SB26-098 would dismantle that statewide protection** by allowing local governments to authorize for-profits to exceed noise limits and leave citizens with no legal recourse.
- A primary beneficiary of this bill is the Ford Amphitheater in Colorado Springs, **which has flouted NAA noise limits for two years, flooded long-standing residential neighborhoods with harmful noise pollution, is now being sued, and needs the legislature to amend the NAA to permit its noise pollution.**

What Current Law Guarantees

- **Statewide noise limits** protect residential areas (55 dB(A) daytime, 50 dB(A) nighttime)
 - Noise above these limits is legally defined as a **public nuisance**.
 - Residents have a **private right of action in district court to address harmful noise pollution**.
- Qualifying local government and nonprofit entities **are already exempt** from these limits.

How SB26-098 Fundamentally Changes the Law

- **Creates a new, third class of NAA exemptions for for-profit entities with NO limits to noise pollution levels, durations, or frequencies of events a local government could permit.**
 - Not a hypothetical: In 2024-5, Colorado Springs allowed the for-profit Ford Amphitheater to create a public nuisance that residents are using the NAA private right of action to abate.
- **Eliminates citizens' right of action against for-profit noise polluters in the new class.**
 - For-profit noise polluters in the new class are exempt from the NAA's noise limits and resulting enforcement.
- **Broadens the existing NAA nonprofit exemption by: 1) adding exemption for any use of property "owned or controlled" by a nonprofit, and 2) extending the exemption to any lessee/permittee of the nonprofit.**
 - 1) The exemption is currently limited to events that the nonprofit itself promotes, produces, or holds
 - 2) The bill would nullify the *Hobbs v. City of Salida* decision by allowing a for-profit entity to operate outside the NAA's statewide standards simply by obtaining written permission from, or entering into a lease with, a nominally nonprofit landlord.

Why This Matters

- Colorado regulates **air pollution, water pollution, and hazardous waste with statewide standards** to protect public health. SB26-098 would regulate noise pollution exactly backwards from other environmental pollutants and create a dangerous precedent— allowing **local exemptions to fragment statewide environmental protections, all for the purpose of benefitting for-profit corporate interests.**

Real-World Consequences If SB26-098 Becomes Law

- Uniform statewide public health protections will be eliminated.
- Unjustly strips citizens of state legal recourse.
- **Colorado Springs and Salida are just the beginning** – this bill will have a permanent negative impact on the citizens in your district.

Bottom Line

- SB26-098 is not just an administrative tweak of the NAA. **It guts the noise pollution balance maintained by the General Assembly for over 50 years** and will harm the health and wellbeing of Colorado residents.



Noise Pollution Solution
PMB425 12295 Voyager Pkwy, Ste 130
Colorado Springs, CO 80921
www.NoisePollutionSolution.org
info@noisepollutionsolution.org

• RECESS •

**Colorado House Transportation, Housing, and Local Government Committee
Hearing on SB26-098
Tuesday, April 7 at 1:30pm
Testimony: William Frankland**

My name is William Frankland, and I am an owner of Recess Beer Garden, located in Denver's Lower Highlands neighborhood. I write in strong support of Senate Bill 26-098 and urge your YES vote.

Recess opened in late 2015, the product of more than 15 years of dreaming by a group of friends — many of whom grew up in the very neighborhood where we now operate. Nearly a decade later, Recess has grown into a neighborhood anchor, where friends convene as regulars, dog owners bring their pups, and neighbors run into each other on the patio and stay for hours. We are exactly the kind of place that makes a Denver neighborhood feel like home.

Outdoor events and live music are a core part of what we offer and what our community expects from us. SB 26-098 restores the local authority that should never have been taken away. It allows Denver and communities across Colorado to work directly with small businesses like ours to craft noise solutions that reflect local needs. Nobody in the state capitol knows LoHi better than the people who live and work here. This bill trusts them to figure it out.

Small businesses like Recess are the character of Denver's neighborhoods. We employ local residents, contribute to the tax base, and create the kind of community connection that no chain can replicate. I ask that you protect that by voting YES on SB 26-098.

Thank you,

William Frankland, Owner
Recess Beer Garden

