



This application is in accordance with Lincoln Municipal Code (LMC) Chapter 8.24 – Noise Control Ordinance. Section 8.24.150 grants the LLCHD authority to grant an initial variance from the Section 8.24.090 of the Noise Control Ordinance for a period **not to exceed 15 days**. Any person seeking an extension of the variance shall file an application with the LLCHD. The decision to grant or deny an application for a noise variance shall be based on the factors contained within Section 8.24.150 paragraph (c). Please provide the following information.

INSTRUCTIONS TO APPLICANT

1. Noise variance applications will only be considered if the applicant has demonstrated that bringing the source of sound or activity for which the variance is sought into compliance with LMC 8.24 – Noise Control Ordinance constitutes an unreasonable hardship on the applicant, community, or other persons. **The applicant must provide sufficient documentation demonstrating unreasonable hardship with each noise variance application.**
2. If approved by the Health Department, the variance will not be issued until payment of the noise variance fee has been received. The variance fee is stated on the application form, and is established in Lincoln Municipal Code (LMC) Chapter 8.24.150(a).
3. For noise variances not related to noise resulting from construction, demolition, excavation, or drilling work, the Health Department will forward the application to the appropriate law enforcement authority for endorsement of approval prior to issuance.
4. Variances and variance extensions shall not become effective until all conditions are agreed to by the applicant.
5. The Health Director will make the final determination to approve or deny issuance of a noise variance. If the variance is denied, the LLCHD will notify the applicant of the reason(s) for variance denial. If the variance is approved, the LLCHD will return the approved variance with specific requirements to the applicant. The approved variance must be made available to law enforcement and the LLCHD at their request for the duration of the approved variance.

GENERAL INFORMATION

If a noise variance permit is issued, it will contain conditions under which the noise emitting activity shall be conducted.

Specific conditions may include, but are not limited to, the following:

1. All reasonable efforts will be made to keep unnecessary noise to a minimum during the period of time stated by the applicant.
2. Amplification levels of all loudspeakers and amplification devices will be kept at a level which minimizes, to the extent possible, the hardship to the public.
3. All motorized and stationary power units shall have an adequate muffler on engines to reduce noise as much as possible.
4. Noncompliance with any conditions of the approved variance shall terminate such variance and subject the applicant to those provisions of the noise ordinance regulating the source of sound or activity for which the variance was granted.

Option for Online Application

Please consider saving paper by submitting your application electronically using the LLCHD's Environmental Public Health Portal at <https://ephportal.lincoln.ne.gov>. Creating an account is free and can help expedite processing by avoiding mail delivery delays. Any fees that may be required can also be paid through this portal via credit card. If you have questions or need assistance with this process, please call 402-441-8040, and we'll be happy to help you.



NOISE VARIANCE APPLICATION

Lincoln-Lancaster County Health Department
Environmental Public Health Division – Air Quality Section
3131 O Street, Lincoln, NE 68510 ph: (402) 441-8040

lincoln.ne.gov/City/Departments/Health-Department/Environmental/Air

LLCHD Office Use Only

Variance Number

Applicant name:		Phone #:		() -
Company, institution, organization, or government entity name: (if applicable)				
Applicant address:				
Street Address		City	State	ZIP Code
Address/Location of noise activity:				
Street Address, OR Distance & Direction from Nearest Intersection (include Intersection)		City	State	ZIP Code
Location of noise activity on the property:				
Describe the location of the noise emitting activity/activities				
Date and time range in which variance is sought:	TIME AM/PM MM-DD-YYYY	Thru	TIME AM/PM MM-DD-YYYY	Initial variance cannot exceed 15 days.
Indicate which of the following activity or activities will be associated with this variance. (check all that apply)				
☐ Construction, Demolition, Excavation and/or Drilling	☐ Radio / Television / Amplified Music / Musical Instruments	☐ Fireworks / Firearms	☐ Automotive Racing	
☐ Small Engines (gasoline or diesel)	☐ Public Address System	☐ Portable / Temporary Generator		
☐ Other (describe):				
Describe your event/request, and indicate why complying with noise limits in LMC 8.24 would create an unreasonable hardship to you or your event, the community, or other persons. Describe what measures will be taken to limit the hardship to the public from excess noise. Attach additional documentation as necessary.				
I certify that all statements and information contained in this application are true, and agree to abide by all conditions established by the Health Director.		Variance Fee: \$180.00 per variance		
Applicant Signature: _____		Applicants must pay the variance fee prior to issuance of the variance.		
Date: _____				

Electronic Funds Transfer Notification

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day you make your payment, and you will not receive your check back from your financial institution.