

SOUND CHECK

Town ordinances cause ambiguity among Elon musicians

Town of Elon seeks to change special event ordinances for clarity

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The ambiguity of special event permitting in Elon leaves a lot for speculation. Right now, the town's ordinance Article 3 leaves musicians and partygoers in uncertainty. It gets complicated.

You and your neighbor throw a party. Do you need a special event permit for it? Is it at that point considered a "block party?"

If you open the windows of your apartment and play an amplified guitar for a small group, is it then considered a "concert?"

If it is a concert, you must pay an assigned application fee, file 60 days in advance and have a police presence on the premises. The \$50 fine, possible civil action and police presence is enough to make anyone a little fretful about organizing on campus. Article 3 is now under review by the town council to improve clarity.

I can understand why, I work as a musician. As I first started looking into this, I carried some vague anger that I wanted to shed. Ordinances in small towns such as Elon change the language of school culture instantly. This rift feels simple when you first break it down.

Cycling batches of idealism are a constant in our town, like the train wailing down Lebanon Avenue. Every weekend during the academic year at Elon breaks with youthful noise. When we put all of our chips on youth, it can clash with enforcement.

The uncertainty of special event permitting creates an invisible fear in Elon's music scene. Before a gig, I'd struck my drums, the frontman had leaned towards my kit and muttered, "We shouldn't take any chances" with the noise.

Senior Doug Baker is a staple pianist in Elon's music scene. Baker said it's more convenient to enforce the ordinances upon bands. It's difficult for a small-town police force to regulate all of the speakers on a Saturday night. They already have enough on their hands.

"Anyone can go to Walmart and get a speaker. It's a lot harder to book and organize a band," Baker said. "It's a much easier

target. You can see a band playing while you drive."

One of Baker's gigs got shut down before he even played a note on St. Patrick's day. The police came and told party organizers that they could hold a party as long as the band didn't play and used speakers instead. Baker said he thinks that incident was an infringement of his First Amendment rights.

I was at that gig too. The organizers began absent-mindedly selecting a playlist from their phone. As soon as I began lugging my bass drum in defeat, "Last Night" by Morgan Wallen started playing.

From his dorm, Baker can hear parties going every weekend.

"From where I live, I can hear parties over there," Baker said. "I can hear many organizations having parties. So why not live music?"

Lucas McKeown '24 still remembers the Elon ordinances for musicians even as he works gigging in Nashville.

"They said it was dangerous to have a band play in your backyard," McKeown said. "It's also dangerous for students to go 5,000 miles outside of the country and study in Florence."

There have been 82 noise ordinance enforcements this year, according to Town of Elon data. The current ordinance laws have been in place since 2018.

Town Clerk Kathleen Patterson said the ordinance's intended goal was to keep every safe and public function running expectedly. I went into interviewing Patterson with the perspective of a musician, but left with an understanding of what her goals were. We talked over a plastic table in an empty town hall. There were no other places to sit down and talk.

Patterson said the town rarely denies permits, using them to take liability off people throwing events.

"It could be a special event if the number of attendees creates a problem with access to sidewalks, or the streets," Patterson said.

Patterson said these laws were created to ensure that emergency vehicles could reach everyone and improve safety, not to target musicians. She said Elon looks to model another ordinance on other college towns to ensure that the law is as clear as possible. Raleigh's ordinance is a good model, Patterson said. It uses a structured tier system for event levels as opposed to one permit for every event.

"The goal is to make sure the ordinance is clear on what the ramifications are," Patterson said.

Every comment from musicians and students showed youth and some unfamiliarity with town politics. But in a way, it was refreshing to see the urgency of expression. The town is working on a clearer plan for its permits. Another constant of Elon — other than the parties — is the cycle from youth to maturity. It is true for students and with time, it will be true for ordinances.

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