



Parliament of Sint Maarten

Staten van Sint Maarten

To the Minister of Tourism, Economic Affairs, Transport and Telecommunication
Ms. L.N.L. de Weever
Government Administration Building
Philipsburg

UV/179/2020-2021

Philipsburg, March 31, 2021

Re: Questions from MP R. Brison regarding legislation regarding processing of business licenses and regulation of noise level

Hon. Minister De Weever,

Herewith I submit to you questions from Member of Parliament, Mr. R. Brison, according to article 62 of the Constitution and Article 69 of the Rules of Order of the Parliament of Sint Maarten.

The letter is self-explanatory.

Yours truly,

R. Brison
President of Parliament



Rolando Brison

Member of the Parliament of
Sint Maarten

President of Parliament
Mr. Rolando Brison
Parliament of Sint Maarten
Philipsburg,
Sint Maarten

STATEN VAN SINT MAARTEN			
Ingek. 24 MAR 2021			
Volgnr. 15/520/20-21			
Par.	J B	A	

Philipsburg, March 24, 2021

Re: Letter to the Honorable Minister of TEATT, Ms. Ludmilla de Weever

Honorable President of Parliament,

Kindly receive the attached letter addressed to the Honorable Minister of TEATT for further processing.

Sincerely,

Rolando Brison
Member of Parliament



Rolando Brison

Member of the Parliament of Sint Maarten

To the Hon. Minister of TEATT
Ms. Ludmilla De Weever
Government Administration Building
Philipsburg
Sint Maarten

Philipsburg, March 24th, 2021

Hon. Minister De Weever,

I am currently working on some necessary adjustments to the “Vergunnings Landsverordenings” that regulates among others the business licenses and the way that they are issued, in particular the opening hours. As we are aware there is much debate and concern within both the business and civil community with regards to noise as well, however my research has shown there is no specific legal requirements in place with regards to noise.

Therefore, I am preparing an initiative legislation which will address the following:

1. The opening hours to be standardize and to be more in line with what is actually taking place within the business community i.e. that most restaurants, night clubs, hotels and casinos are open until at least 3AM rather than what is in our outdated legislation of midnight. This will be done by amending article 47 of the law
2. To cap the noise level of businesses that operates past midnight to ensure that they do not disturb the civil community with their noise. The “vergunning landsverordening” will for the first time include the possibility to regulate the noise level for which currently there seems to be no legal basis. Article 47.2, a sub A will be created to allow for this.

In order to achieve this, I hereby urgently request the following information from you:

1. How many businesses currently has the ability/exemption has written into their license to open past midnight? (I understand this may be difficult to search, however I would accept if a range/broad estimate can be provided of how many businesses. An exact number is not necessary)
2. Does the Ministry also share the opinion that currently within the legislation that falls under the Ministry of TEATT there is no legislation that regulates noise level?
3. Is the Ministry in possession of decibel meters, if yes, how many and how often are they calibrated? And what training are offered to the inspectors. If not, are there any plans to introduce certified decibel meters?

Wilhelminastraat # 1, Philipsburg, Sint Maarten
Tel: + (1-721) 542-0812 / 542-0635 | Fax: + (1-721) 542-0306
Email: info@sxmparliament.org | www.sxmparliament.org

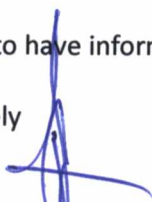
4. Can The Minister share any information regarding complaints received by the Ministry with regards to noise in particular the hotel industry?
5. Is the Hon. Minister aware of the nih.gov reports that have created a sort of standard for what noise levels should be acceptable with restaurants? It appears from this report that the acceptable noise level should be approximately 70 decibels as anything above 75 is considered loud. Will the Minister agree with this level?. <https://www.noisyplanet.nidcd.nih.gov/have-you-heard/how-is-sound-measured>
6. Can the Minister please provide the Member of Parliament with up to 20 business licenses redacted to remove the name of business license holder, their address or any personal information? The purpose of this is simply for the Parliament and the initiative taker of this law to be able to see examples of exemptions being given to restaurants, coffee lounges, hotels and others and how these business licenses are structured.

Again, Minister to be clear, it is not the interest of this Member of Parliament to have the personal information, I ask you to redact all personal information but provide the non-personal information that would enable me to identify the particular business license holder rather it is simply to see how the business licenses are currently being processed and what laws are being cited.

On Friday, March 26th, 2021, I am expected to present the draft legislation to the Secretariat for legal review, after which it will go to the Council of Advice hopefully next week.

I trust to have informed you sufficiently.

Sincerely



Rolando Brison
Member of Parliament