

**CHAPTER 14: NOISE REGULATION**

14-101	Noise Regulation in General
14-102	Noises Prohibited
14-103	Exemptions
14-104	Penalties
14-105	Injunctions

\*\*\*\*\*

**14-101      Noise Regulations in General**

It shall be unlawful for any person to willfully make, continue, or cause to be made or continued any excessive, unnecessary, or unusually loud noise which the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing within the City limits.

**14-102      Noises Prohibited**

The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exhaustive.

1.      Motor vehicle horns. The sounding of any horn on any automobile, motorcycle or other motor vehicle on any street or public place of the City except as a warning signal.
2.      Radio, television sets, and similar devices. The using, operating, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the producing or reproducing of sound between the hours of 10:00 P.M. and 7:00 A.M. in such manner as to disturb the peace, quiet and comfort of neighboring residents.
3.      Loudspeakers and amplifiers. The using or operating of any loudspeaker or sound-amplifying device mounted upon any vehicle within the City for the purpose of broadcasting or advertising any information about any business or activity for any other purpose, unless a permit for such sound amplification has been obtained from the Mayor or Police Chief.
4.      Construction equipment and activity. The operating of any equipment or the performing of any outside construction or repair work on buildings, structures, roads, or projects within the City between the hours of 10:00 P.M. and 7:00 A.M. unless a permit for such construction or repair work between such hours has been obtained from the Mayor or Police Chief.
5.      Exhausts. The discharging into the open air of the exhaust of any internal combustion engine, motor boat, or motor vehicle except through a muffler or other device

which will effectively prevent loud or explosive noises therefrom.

6. Animals and birds. The keeping of any animal or bird which by frequent or continuous barking, chirping or other means of communication disturbs the comfort or repose of the residents of any residential neighborhood.

7. Vehicle repair in residential areas. The repairing, rebuilding or testing of any motor vehicle between the hours of 10:00 P.M. and 7:00 A.M. within any residential area in such a manner as to disturb the peace, quiet, and comfort of the residents of the area.

8. Schools, courts, churches, hospitals. The creating of any excessive noise on any street adjacent to any school, institution of learning, church, or court while the same are in use, or adjacent to any hospital which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital, or court street.

9. Hawkers and peddlers. The selling of anything by outcry within the residential areas of the City, except at licensed sporting events, parades, fairs, circuses, and other similar licensed public entertainment events.

10. Drums. The using of any drum or other instrument or device for the purpose of attracting attention by the creation of noise within the City, unless a permit for such use has been obtained from the Mayor or Police Chief.

11. Radios, televisions, musical instruments and similar devices.

a. The operating or playing of any radio, musical instrument or similar device which produces or reproduces sound on the public right-of-way in such a manner as to be plainly audible to any person other than the operator of the device.

b. The operating or playing of any radio, television, phonograph, musical instrument or similar device which produces or reproduces sound in a motor vehicle or public park in a manner as to be plainly audible at a distance of 15 meters (50 feet).

#### **14-103 Exemptions**

The following uses and activities shall be exempt from the noise regulations set forth in this chapter:

1. Noises of safety signals and warning devices;
2. Noises resulting from any authorized emergency vehicle, when responding to an

emergency call or acting in time of emergency; and

3. Noises resulting from emergency work, to be construed as work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger.

**14-104 Penalties**

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be fined in an amount not exceeding \$500.00 or imprisonment for a period not exceeding 180 days, or by both such fine and imprisonment. A separate offense shall be deemed to have been committed each day during or upon which a violation occurs or is permitted to continue.

**14-105 Injunctions**

The operation of maintenance of any device, vehicle, or machinery in violation of any provision of this chapter which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health, or peace of residents of this City shall be deemed, and is declared to be, a public nuisance, and may be subjected to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.