

CHAPTER 94. - NOISE REGULATIONS

Sections:

§ 94.01 - UNNECESSARY NOISE PROHIBITED.

It shall be unlawful for any person, firm or corporation to create or assist in creating any unreasonably loud, disturbing sounds levels in the town, taking into consideration volume, duration, frequency and other characteristics of the sound.

(Prior Code, § 96.01)

Cross reference— Penalty, see § 10.99

§ 94.02 - CERTAIN NOISES EXPRESSLY PROHIBITED.

The following acts or activities, among others, are hereby declared to be unreasonably loud, disturbing sound levels, in violation of this section, but the enumeration shall not be deemed to be exclusive:

- (A) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such horn or signal device of any unreasonably loud, disturbing sound level; and the sounding of the device for any unreasonable period of time;
- (B) The sounding of any gong, bell or siren such that a reasonably prudent person would recognize as likely to unreasonably disturb persons in the vicinity, except for the use of a gong or siren upon a police, fire or other emergency vehicle or by a church or school;
- (C) The playing, use or operation of any radio, musical instrument, electronic sound amplification equipment or other similar device in such manner or with the volume so that a reasonably prudent person would recognize as likely to unreasonably disturb persons in the vicinity, except with an appropriate permit;
- (D) The keeping of any animal or bird which makes frequent or long continued sounds such that a reasonably prudent person would recognize as likely to unreasonably disturb persons in the vicinity;
- (E) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in a manner as to create unreasonably loud, disturbing sounds;
- (F) The discharge into the open air of the exhaust from any steam engine, stationary internal combustion engine, motor vehicle, except through a muffler or other device which will prevent unreasonably loud, disturbing sounds therefrom;
- (G) The use of any mechanical device operated by compressed air unless the sound created thereby is effectively muffled and reduced;
- (H) The erection, construction (including excavation), demolition, alteration or repair of any building or structure in a residential or business district other than between the hours of 7:30 a.m. to 8:00 p.m. Monday through Saturday from Memorial Day to Labor Day and 7:00 a.m. to 8:00 p.m. during the remainder of the year; (The erection, construction (including excavation), demolition, alteration or repair of any building or structure in a residential or business district will

not be allowed on any Sunday anytime of the year, except in the case of urgent necessity in the interest of public safety.)

- (I) The creation of unreasonably loud, disturbing sound levels adjacent to any school, educational facility, church or court during normal operating hours, or within 150 feet of any hospital, which a reasonably prudent person would recognize as likely to unreasonably interfere with the working of the institutions; provided conspicuous signs are displayed indicating that such area is a school, educational facility, church, court or hospital area;
- (J) The operating or maintaining of any garage or service station in any residential area so as to cause unreasonably loud, disturbing sounds to be emitted between the hours of 9:00 p.m. to 7:00 a.m. on any day;
- (K) The use of any electronic sound amplification equipment for advertising or solicitation purposes, except with an appropriate permit;
- (L) The shouting or using any drum, loud speaker or other instrument or device for the purpose of attracting attention to any performance, show or sale or display of merchandise, except with an appropriate permit; and
- (M) The firing or discharging of firecrackers, gunpowder or any other combustible substance such that a reasonably prudent person would recognize is likely to unreasonably disturb persons in the vicinity.

(Prior Code, § 96.02)

Cross reference— Penalty, see § 10.99

§ 94.03 - PERMITS.

- (A) Any person wishing to engage in activities regulated by this chapter may do so when a specific permit is approved by the Town Administrator or his or her designee. Applications shall be submitted on forms supplied by the town. The permit shall not be unreasonably withheld and may contain appropriate conditions, including maximum decibel levels, designed to minimize the disruptive impact. Permits for activities which are significantly for religious or political purposes shall be granted, subject only to reasonable time, place and manner restrictions. Permits issued under this section may specify that the permission granted will continue for a stated period of time or until revoked. Any permit may be revoked if it is determined that the authorized activity has resulted in generation of unreasonably loud disturbing sound levels.
- (B) In case an application is denied, a permit is approved with conditions unacceptable to the applicant or a permit is revoked, the applicant may appeal to the Town Council, for appropriate relief, by written request.

(Prior Code, § 96.03) (Am. Ord. 92.4.6, passed - -; Am. Ord. 92.5.11, passed - -)

Cross reference— Penalty, see § 10.99