

SECTION 280.010: - PROHIBITION ON NOISE

A person commits the offense of noise disturbance if he willfully makes, continues or causes to be made or continued any loud and "raucous noise", which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the City.

(Ord. No. 2010-1, § 1, 1-11-10)

SECTION 280.015: - ACTS DECLARED AS PUBLIC NUISANCES

The following acts are declared to be public nuisances:

1. The discharge into the open air of the exhaust of any steam engine or stationary internal combustion engine except through a muffler or other device which will effectively prevent loud and raucous noises therefrom.
2. The operation between the hours of 8:00 p.m. and 7:00 a.m. on any day or at any time on Sunday, of any pile driver, steam shovel, pneumatic hammer, derrick, dredge, steam or electric hoist or other appliance, the use of which is attended by loud and raucous noise.
3. The operation of any blower or power fan or any internal combustion engine, the operation of which causes loud and raucous noise, unless the noise from such blower or fan is muffled or such engine is equipped with a muffler device sufficient to prevent loud and raucous noise.
4. The sounding of any horn, whistle, loud speakers or other audible signaling device for the producing or reproducing of sound in such manner as to cause loud and raucous noise.
5. The operation of any set, instrument, phonograph, radios, musical instrument, public address systems and all kinds and types of sound amplification systems between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be audible to any person outside of the building or vehicle in which it is located or off the property upon which it is located.
6. The operation of any amplifier or loudspeaker in, upon or attached to a sound truck or other device for amplifying sound in such a manner as to cause a loud and raucous noise.
7. Yelling, shouting, whistling or singing at any time or place so as to create a loud and raucous noise.
8. The keeping of any animal which habitually causes a loud and raucous noise.
9. The use of any motor vehicle so out of repair, so loaded or in such manner as to create loud grating, grinding, rattling or other loud and raucous noise or which is not equipped with a muffler in a good working order and in constant operation so as to prevent loud and raucous noise.
10. Any excavation, site grading and site construction work, and any building construction activity not completely contained within an enclosed building, occurring between the hours of 8:00 p.m. and 7:00 a.m. on any day, except in case of urgent necessity in the interest of public health and safety, and then only with authorization from the Building Official.
11. The creation of any loud and raucous noise heard within any school, public building and church or to any hospital, or the grounds thereof, while in use, which interferes with the workings of such institution, or which disturbs or annoys patients in the hospital.
12. The use of any drum or other instrument or device to create a loud and raucous noise.

(Ord. No. 2010-1, § 1, 1-11-10)

SECTION 280.020: - EXCEPTIONS

The following actions are exempt from the provisions of this Chapter:

- A. Noises not directly under the control of the property owner, lessor, or operator of the premises.
- B. Noises of safety signals, warning devices and emergency pressure relief valves.
- C. Transient noise of mobile sources, including automobiles, trucks, airplanes, and railroads.
- D. Occasional outdoor gatherings, public dances, shows and sporting and entertainment events provided said events are pursuant to a permit or license issued by the appropriate jurisdiction relative to the staging of said events.
- E. Air-conditioning or refrigeration systems or associated equipment.
- F. Cries for emergency assistance and warning calls.
- G. Radios, sirens, horns and bells on Police, fire and other emergency response vehicles.
- H. Parades, fireworks displays and other special events for which a permit has been obtained from the City, within such hours as may be imposed as a condition for the issuance of the permit.
- I. Activities on or in municipal and school athletic facilities and on or in publicly owned property and facilities, provided that such activities have been authorized by the owner of such property or facilities or its agent.
- J. Fire alarms and burglar alarms, prior to the giving of notice and reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm.
- K. Religious worship activities, including but not limited to bells and organs.

(Ord. No. 2010-1, § 1, 1-11-10)

SECTION 280.025: - RESERVED

SECTION 280.030: - PERSONS RESPONSIBLE

Any person, owner, agent or supervisor in charge of operating, ordering, directing or allowing the operation or maintenance of the device or machine creating a noise as prohibited in this Chapter shall be deemed guilty of violating this Chapter.

(Ord. No. 2010-1, § 1, 1-11-10)

SECTION 280.035: - RESERVED

SECTION 280.040: - PENALTY FOR VIOLATION

Any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be, upon conviction or a plea of guilty, subject to the general penalty provision provided for in Section 100.220.

(Ord. No. 2010-1, § 1, 1-11-10)

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