

Chapter 22 NOISE*

***Cross reference(s)**--Prohibition against keeping noisy animals, § 6-6.

§ 22-1. Making of noise detrimental to life or health prohibited.

§ 22-2. Noise interfering with enjoyment of property or public peace and comfort.

§ 22-3. Unreasonably loud, disturbing and unnecessary noises.

§ 22-4. Acts creating unlawful noises.

§ 22-5. Use of bell, siren, compression or exhaust whistle on vehicles.

§ 22-6. Arrest for violation of sections 22-4 and 22-5.

§ 22-7. Penalty; continuing violations.

Sec. 22-1. Making of noise detrimental to life or health prohibited.

It shall be unlawful for any person to make, or cause to be made, noise of such character, intensity and duration as to be detrimental to life or health of any individual in the city.

(Ord. No. 151, § 2)

Sec. 22-2. Noise interfering with enjoyment of property or public peace and comfort.

It shall be unlawful for any person to make or cause to be made any unreasonably loud, disturbing and unnecessary noise in the city which is offensive to the ordinary sensibilities of the inhabitants of the city, which noise renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(Ord. No. 151, § 3)

Sec. 22-3. Unreasonably loud, disturbing and unnecessary noises.

It shall be unlawful for any person to make or cause to be made any unreasonably loud, disturbing and unnecessary noise in the city. In this connection, bells and music boxes used on vehicles of ice cream vendors and similar vendors to attract

children as patrons are exempt from the operation of this chapter; except, that such bells and music boxes may not be used between the hours of 12:30 p.m. and 3:00 p.m.; and provided further, that when used, the bells and music boxes are not operated so loudly as to be offensive to the ordinary sensibilities of the inhabitants of the city and interfere with public peace and comfort or make the enjoyment of life or property uncomfortable.

(Ord. No. 151, § 4; Ord. No. 614, § 1)

Sec. 22-4. Acts creating unlawful noises.

The following acts, among others, are declared to create loud, disturbing and unnecessary noises, in violation of this chapter, but such 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, as may be required by state law, if another vehicle is backing, starting or turning in such a way as likely to cause a collision.
- (b) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, while in motion, except as a danger signal, as may be required by state law, if another vehicle is backing, starting or turning in such a way as likely to cause a collision.
- (c) The playing of any radio, phonograph or musical instrument in such a manner, or with such volume as to disturb the peace, quiet, comfort or repose of persons in any dwelling, apartment, hotel or other type of residence.
- (d) The keeping of any animal or fowl which emits or makes an unreasonably loud, disturbing and unnecessary noise.
- (e) The use of any automobile, motorcycle or other vehicle so out of repair, or so loaded, which emits or creates loud or unnecessary grating, grinding or rattling noise.
- (f) The blowing of any steam whistle attached to any stationary boiler, except to give notice of time to begin or stop work, or as a warning of danger.
- (g) The discharge into the open air of the exhaust from any stationary steam engine or stationary internal-combustion engine, except through a muffler or other device which will effectively and efficiently prevent

loud or unusual noises, annoying smoke and the escape of gas or steam.

- (h) The discharge into the open air of the exhaust from any motor vehicle except through a muffler, or other device, which will effectively and efficiently prevent loud and unusual noises and annoying smoke.
- (i) The erection, including excavation, demolition, alteration or repair of any building in or adjacent to a residential district, other than between 6:00 a.m. and 9:00 p.m., on weekdays, and 7:00 a.m. and 8:00 p.m. on weekends, except in the case of urgent necessity or in the interest of public safety, for which a permit should be obtained from the director of building inspection prior to any deviation from these hours.
- (j) The creating of any unreasonably loud, disturbing and unnecessary noise on any street adjacent to any school, or court, which is in session, or adjacent to any hospital; provided that conspicuous signs are located in such streets indicating that schools, hospitals and courts are adjacent thereto.
- (k) The creation of unreasonable, loud, disturbing and unnecessary noise on any street adjacent to any school, or court, which is in session, or adjacent to loading and unloading of any vehicle, or the opening and destruction of bales, boxes, crates and containers, or the sounding of any bell or gong attached to any building located on any premises which disturbs the quiet or repose of persons occupying adjoining property or those occupying property across any street or alley and within two hundred (200) feet radius.
- (l) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.
- (m) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noise to any performance, show, sale or display of merchandise as to attract customers to any place of business.
- (n) The use of mechanical loudspeaker or amplifiers on trucks or other moving vehicles for the purpose of advertising any show, sale or display of merchandise, or any other purpose.

(Ord. No. 151, § 5; Ord. No. 5278, § 1, 8-27-87)

Sec. 22-5. Use of bell, siren, compression or exhaust whistle on vehicles.

It shall be unlawful for any vehicle to be equipped with, or for any person to use upon a vehicle, any bell, siren, compression or exhaust whistle; except that vehicles operated in the performance of duty by law enforcement officers, fire departments and ambulances may attach and use a bell, siren, compression or exhaust whistle.

(Ord. No. 151, § 6)

Sec. 22-6. Arrest for violation of sections 22-4 and 22-5.

Whenever any person is arrested for violating subsection (a), (b), (e), (h), (j) or (n) of section 22-5, or section 22-6, the arresting officer shall take the violator's name, address, make of car and the registration or license number of the motor vehicle involved, and issue to such violator, in writing, on a form to be provided by the city, a notice to answer to the charge against him within not more than five (5) days, during the hours and at the place specified in the notice. The officer shall thereupon have the violator give his written promise to answer as specified in the notice, and upon securing such written promise shall release such violator from custody. The arresting officer shall retain one (1) copy of such notice to be delivered to the chief of police when the case shall have been disposed of, one (1) copy to be delivered to the traffic violations bureau and the third copy shall be delivered to the arrested party.

(Ord. No. 151, § 8)

Sec. 22-7. Penalty; continuing violations.

A violation of any of the provisions of this chapter shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

Each day any violation of any provision of this chapter continues shall constitute a separate offense.

(Ord. No. 5853, § 17, 9-6-90)