

## **9.70.020 NOISE RESTRICTIONS.**

(A) *General prohibitions.* No person shall make or cause to be made any noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions listed in the following sections.

(B) *Specific restrictions.* The following acts are declared to be unlawful:

(1) Radios, television sets, musical instruments, tape or record players, amplifiers and similar devices: operating or permitting the use or operation of any such device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible across property boundaries or through partitions common to two or more persons within a building.

(2) Domestic power tools: operating or permitting the use or operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, or similar device used outdoors between the hours of 10:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby.

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(3) Construction: operating or permitting the operation of any tool or equipment used in construction, drilling or demolition between the hours of 8:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby.

(4) Horns and signaling devices: operating a horn or other audible signaling device on any motor vehicle except in an emergency or when required by law.

(5) Lawnmower: operating or permitting the operation of a lawnmower between the hours of 9:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby.

(6) Snow blower: operating or permitting the operation of a snow blower

between the hours of 12:00 midnight and 6:00 a.m. in such manner that will disturb or annoy any reasonable person nearby.

**(7) Motor vehicles: playing, using, operating or permitting to be played, used**

**or operated, any radio, tape recorder, cassette player or other device for receiving a broadcast**

**sound or reproducing recorded sound, if the device is located in the public way or in any motor**

**vehicle on the public way, if the sound generated by the device is clearly audible to a person with**

**normal hearing at a distance greater than 50 feet.**

(8) Participation in noisy parties or gatherings: participation in any party or gathering between the hours of 10:00 p.m. and 7:00 a.m. giving rise to noise that is plainly audible across property boundaries or between partitions common to two or more persons within a building.

(9) Animals: harboring or keeping any animal which, by causing frequent or long continued noise, shall disturb or annoy any reasonable person nearby.

(Ord. 1147, passed 8-28-00) Penalty, see 95.06

### **9.70.030 QUANTITATIVE LIMITS.**

**(A) Motor vehicles.**

**(1) It shall be unlawful for any person to cause the sound pressure level of the**

**noise emitted during the operation of a light motor vehicle to exceed 80 dBA in speed zones of 35**

**miles per hour or less within the corporate limits of the town. The sound pressure level measurement shall be made at a distance of not less than 15 feet from the noise source.**

**(2) It shall be unlawful for any person to operate a light motor vehicle which**

**causes excessive noise as a result of a defective or modified exhaust system, or as a result of an**

**unnecessary rapid acceleration, deceleration, engine revving, or tire squealing.**

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(B) *Stationary source.* (See Appendix B for octave-band breakdowns of the dBA limits for each zone.)

(1) It shall be unlawful for any person to cause the sound pressure level to exceed the limits listed below at any point on the boundary of the property where the person is located.

(a) If the person is located within a residential zone: 55 dBA between the hours of 10:00 p.m. and 7:00 a.m.

(b) If the person is located within a commercial zone: 64 dBA between the hours of 7:00 a.m. to 11:00 p.m., and 55 dBA between the hours of 11:00 p.m. and 7:00 a.m.

(c) If the person is located within an industrial zone: 66 dBA between the hours of 7:00 a.m. to 11:00 p.m. and 55 dBA between the hours of 11:00 p.m. and 7:00 a.m.

(2) If the property boundary lies between two zones, the lower limit shall apply regardless of the zone in which the person creating the noise is located.

(3) In addition to the above, no person within a residential or commercial zone shall make or cause to be made any earthshaking vibrations perceptible without the aid of instruments beyond the property boundary of the vibration source. No person within an industrial zone shall make or cause to be made any earthshaking vibrations perceptible without the aid of instruments beyond the zone boundary of the zone in which the vibration source is located.