

# CHAPTER 14: NOISE REGULATION

## Section

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### Section 14-101 Noise Regulation 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 disturbs 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.

### Section 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 Town except as a warning signal.
- 2. Radios, 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-amplifier device mounted upon any vehicle within the Town 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 Town 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 working 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 Town, 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 Town, unless a permit for such use has been obtained from the Mayor or Police Chief.

**Section 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 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.

**Section 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 one hundred dollars (\$100.00) or imprisonment for a period not exceeding ten (10) days, or 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.

**Section 14-105 Injunctions**

The operation or 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 Town shall be deemed, and is declared to be a public nuisance, and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.