

Article 11: Noise Control.

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Sec 34-31

Sec 34-35 Specific prohibitions.

operated for profit, or not for profit, to which the public has general admission and which are regulated by the city.

- (5) *Loading and unloading.* Loading and unloading, opening, closing or other handling of boxes, crates, containers, equipment, building materials or similar objects between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 10:00 a.m. on weekends or holidays, in or within 50 yards of any residential property line or noise-sensitive zone.
- (6) *Construction and demolition.* Operating or causing the operation of any tools used in construction, drilling, repair, alteration or demolition work between the hours of 9:00 p.m. and 6:00 a.m. on weekdays, or between 9:00 p.m. and 9:00 a.m. on weekends or holidays, in or within 50 yards of any residential area or noise-sensitive zone, except for emergency work by public service utilities or by other variance approved by a board or commission of the city council empowered to grant variances. This subsection shall not apply to the use of domestic power tools as specified in subsection (11) of this section.
- (7) *Powered model vehicles.* Operating or permitting the operation of powered model vehicles:
 - a. Between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 10:00 a.m. on weekends or holidays, in or within 100 feet of any residential area or noise-sensitive zone; or
 - b. In such a manner as to exceed the levels set for public space land use in section 34-36, measured at a distance of not closer than 100 feet to any point on the path of a vehicle operating on a public space or public right-of-way.
- (8) *Emergency signaling devices.* The intentional sounding or permitting the sounding outdoors of any fire, burglary or civil defense alarm, fire, whistle or similar stationary emergency signaling device before 7:00 a.m. or after 7:00 p.m., except for the purpose of signaling an emergency. Any such testing shall use the minimum cycle test time appropriate for such devices, in no case to exceed 60 seconds. Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur more than once in each calendar month. Such testing shall occur only on weekdays and not before 7:00 a.m. or after 10:00 p.m., and shall be exempt from the time limit specified in this subsection. The sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, unless such alarm is automatically terminated within 15 minutes of activation, shall be prohibited.
- (9) *Motorboats.* Operating or permitting the operation of any motorboat in any lake, river, stream, canal, bay or other waterway in such a manner as to cause unusually loud, excessive or unnecessary noise within a residential area or noise-sensitive zone.
- (10) *Creation of noise in noise-sensitive zone.* Creating or causing the creation of any sound within any noise-sensitive zone so as to exceed the decibel levels set forth in section 34-36 for such zone when measured at a distance at least 25 feet from the sound source, provided that conspicuous signs are displayed indicating the presence of the noise-sensitive zone; or the creating or causing the creation of any unusually loud, excessive and unnecessary noise within or adjacent to any noise-sensitive zone containing a hospital, nursing home, school, court or other designated area, provided that conspicuous signs are displayed indicating the presence of the noise-sensitive zone.
- (11) *Domestic power tools.* Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool, or similar tool after 10:00 p.m. on any evening and before 7:00 a.m. on weekdays, before 8:00 a.m. on Saturdays and legal holidays, and before 9:00 a.m. on Sundays, unless such equipment is operated inside a building or other structure so that the sound there-from does not travel across any residential real property line or sensitive zone. All such equipment shall be properly muffled and maintained in working order so as not to create unusually loud, excessive and unnecessary noise.
- (12) *Noise in multifamily dwellings.* Operating or permitting the operation within a multifamily dwelling of any source of sound in a manner so as to exceed 55 dB(A) from 7:00 p.m. to 10:00

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Sec. 34-36. - Maximum permissible sound levels by receiving land use.

(a) No person shall operate or cause to be operated any source of sound which travels off of the property limits where the sound originates in such a manner as to create a sound level which, when measured at the property line of the receiving property, exceeds the limit set forth for the receiving land use category in the following table, more than ten percent of any measurement, which shall not be less than ten minutes, when measured on or beyond the property bounds of the receiving land use:

Receiving Land Use Category	Time	Sound Level Limits (dB(A))
Noise-sensitive	At all times	50
Residential or public space	7:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m. on weekdays	55
	10:00 p.m. to 10:00 a.m. on weekends and holidays	55
Commercial or business	7:00 a.m. to 10:00 p.m.	65
	10:00 p.m. to 7:00 a.m.	60
Manufacturing, industrial or agricultural	At all times	80

(b) For any source of sound, the maximum sound level shall not exceed the sound level limits in the table in subsection (a) of this section by:

- (1) Ten dB(A) from 7:00 a.m. to 10:00 p.m.
- (2) Five dB(A) from 10:00 p.m. to 7:00 a.m.
- (3) Ten dB(A) at all times in a manufacturing, industrial or agricultural land use area.

(Code 1982, § 12-39)

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