

ARTICLE III. - NOISE
DIVISION 1. - GENERALLY

Sec. 8-61. - Unreasonably loud, disturbing or unnecessary noise.

It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the city.

(Code 1979, § 2-2082)

Sec. 8-62. - Operation of vehicles generally.

It shall be unlawful for any person in the operation of a motor vehicle to cause, suffer or allow any loud, excessive or unusual noise in the operation or use of such motor vehicle upon any of the streets of the city.

(Code 1979, § 2-2083)

Cross reference— Motor vehicles and traffic, ch. 12.

Sec. 8-63. - Sounding horns or signaling devices on vehicles.

It shall be unlawful for the operator of any automobile, motorcycle, truck, bus or other vehicle to sound any horn or audible signal device in any other manner of circumstances or for any other purpose than required by law.

(Code 1979, § 2-2084)

Cross reference— Motor vehicles and traffic, ch. 12.

Sec. 8-64. - Blowing steam whistles, electric horns or similar devices.

Except as required by law, no person shall blow or cause to be blown within the city any steam whistle, electric horn or other sound-producing device except as alarm signals in case of fire or collision or other imminent danger.

(Code 1979, § 2-2085)

Sec. 8-65. - Racing engines of vehicles.

It shall be unlawful for any person to race the engine of any motor vehicle while such vehicle is not in motion, except when necessary to do so in the course of repairing, adjusting or testing the vehicle.

(Code 1979, § 2-2086)

Cross reference— Motor vehicles and traffic, ch. 12.

Sec. 8-66. - Noises in connection with loading or unloading vehicles.

It shall be unlawful for any person to use or permit to be used any automobile, truck, bus, motorcycle or other vehicle, engine, stationary or moving, instrument, device or other thing so out of repair, or so loaded in such a manner, as to create any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates or containers.

(Code 1979, § 2-2087)

Cross reference— Motor vehicles and traffic, ch. 12.

Sec. 8-67. - Radios, phonographs, musical instruments and other sound-amplifying devices.

- (a) *Disturbing the public generally.* It shall be unlawful for any person to maintain and operate in any building or on any premises in the city any radio device or mechanical musical instrument or device of any kind whereby the sound therefrom is cast directly upon the public streets and places in such a manner as to create unreasonably loud, excessive or disturbing noises and where such device is maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public, or which is so placed and operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of travelers upon any street, park or public place or of persons on neighboring premises.
- (b) *Disturbing persons in hotel or dwelling.* It shall be unlawful for any person to play any radio, phonograph or musical instrument in such a manner or with such volume, particularly between 10:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.
- (c) *Creating public nuisance.* It shall be unlawful for any person to operate, or cause or permit to be operated, any instrument or sound-producing or sound-amplifying device so loudly as to unreasonably disturb persons in the vicinity thereof or in such a manner as renders the instrument or device a public nuisance.
- (d) *Permit for special occasions.* Upon application to the city council, permits may be granted to responsible organizations to broadcast programs of music, speeches or general entertainment as a part and in recognition of the community celebration of national, state or city events, public festivals or outstanding events of a noncommercial character, provided that traffic on the streets is not obstructed by reason thereof.
- (Code 1979, §§ 2-2088—2-2091; Ord. No. 2-11-100, 12-20-11)

Sec. 8-68. - Crying out or playing bells, drum or other instrument to attract attention.

It shall be unlawful for any person to make any noise upon a public street or in such proximity thereto as to be distinctly and loudly audible upon such street by any kind of crying, calling or shouting, or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument or other device, for the purpose of attracting attention or of inviting patronage of any persons to any business whatever.

(Code 1979, § 2-2092)

Sec. 8-69. - Building operations.

It shall be unlawful for any person in conducting any building operations between the hours of 11:00 p.m. and 6:00 a.m. to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists or other apparatus, the use of which is attended with loud or unusual noise, in any block in which more than half of the buildings on either side of the street are used exclusively for residence purposes.

(Code 1979, § 2-2093)

Cross reference— Buildings and building regulations, ch. 5.

Sec. 8-70. - Audible signal alarm devices.

The following requirements as to the audible signal alarm devices shall apply to all buildings in the city:

- (1) *Definition.* An audible signal alarm device shall mean any mechanism, equipment or system which is designed to operate automatically through the use or emission of an audible signal, message or warning.
- (2) *Filing and posting of names of persons authorized to shut off alarm.* It shall be unlawful for the owner or occupant of any building in the city to cause or allow such building to contain or otherwise use an audible signal alarm device unless there is filed with the police department and posted on one or more of the usual entrances to the building, in a conspicuous place and manner visible from without the entrance, a list of the names and telephone numbers of persons who have access to and can shut down the device if the device is triggered or otherwise emits an audible signal or noise.

(3)

Availability of persons authorized to shut off alarm. It shall be the duty of the owner or occupant to ensure that one or more of the persons whose telephone numbers are so listed shall be available at those telephone numbers at all hours and times, or in the alternative, that the owner or occupant notify the chief of police of the city, or such person as the chief of police may designate, of the telephone numbers at which one or more of those persons may be reached.

- (4) *Penalty.* Violation of this section or failure to comply with any of its provisions shall be a misdemeanor, punishable, upon conviction, in accordance with section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Code 1979, § 2-2094)

Secs. 8-71—8-90. - Reserved.

DIVISION 2. - NOISE POLLUTION

Sec. 8-91. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Decibel is a unit of measurement of intensity of sound (the sound pressure level).

Octave band is a means of dividing the range of sound frequencies into octaves, in order to classify sound according to pitch.

Octave band filter means an instrument, standardized by the American Standard Association, used in conjunction with a sound level meter to take measurements in specific octave bands.

Sound level meter means an instrument, standardized by the American Standard Association, used for measurement of the intensity of sound and calibrated in decibels.

(Code 1979, § 6-7131)

Cross reference— Definitions generally, § 1-2.

Sec. 8-92. - Measurement of sound level.

- (a) For the purpose of measuring the intensity and frequencies of sound, sound level meters and octave band filters shall be employed. In the enforcement of this division, noise produced by the operation of motor-driven vehicles, stationary units, flying objects or other transportation facilities shall be included in the determination of the maximum decibel levels permitted.
- (b) Sounds of short duration, as from forge hammers, punch presses and metal shears, which cannot be measured accurately with the sound level meter, shall be measured with an impact noise filter as manufactured by the General Radio Company, or its equivalent, in order to determine the peak value of the impact. For sounds so measured, the sound pressure level set forth in table I may be increased by six decibels.

(Code 1979, § 6-7132)

Sec. 8-93. - Maximum permitted sound levels.

It shall be unlawful for any person to create sound in excess of the sound pressure levels delineated in table I.

TABLE I. MAXIMUM PERMITTED SOUND PRESSURE LEVEL (IN DECIBELS)

	Sound Pressure Level
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Octave Band (cycles per second)	(decibels)	
	Residential	Commercial
0—75	65	79
75—149	60	74
150—299	55	66
300—599	55	59
600—1,199	45	53
1,200—2,399	45	47
2,400—4,799	40	41
4,800 and over	40	39

(Code 1979, § 6-7133)

Secs. 8-94—8-120. - Reserved.