

131.05 DISTURBING THE PEACE.

It is unlawful for any person to disturb or aid in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct or language, and no person shall knowingly permit the conduct upon any property owned by him or under his control or supervision.

('87 Code, § 10-2-5) (Ord. 81-16; Am. Ord. 84-119; Am. Ord. 85-124; Am. Ord. 96-007) Penalty, see § 130.99

131.06 UNREASONABLE NOISE.

(A) It is unlawful for any person to make, continue to make or cause to be made, any loud or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

(B) Unlawful noises include but shall not be limited to the following:

(1) *Horns and signal devices.* The sounding of any horn or signaling device of any automobile, motorcycle, truck or other vehicle on any street or public place except as a danger warning, the creation by means of any signaling devices of any unreasonable, loud or harsh sound, the sounding of the signaling device where traffic is held up.

(2) *Radios and phonographs.* The use or operation of any radio, phonograph or other sound producing machine in a manner as to disturb the peace and quiet of neighbors.

(3) *Loudspeakers; amplifiers used for advertising.* The use or operation or permitting to be played, used or operated any radio, receiver set, musical instrument, phonograph, tape recorder, loudspeaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public in any residential area, except with the proper permit.

(4) *Yelling or shouting.* Yelling, shouting or creating other loud noises which annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or residence, or of any persons in the vicinity.

(5) *Schools, courts, churches, hospitals.* The creating of any excessive noise on any street adjacent to any hospital, school, institution of learning, church or court which interferes with the workings of the institution or which disturbs or annoys patients in a hospital.

(6) *Retarders, Jake brakes, engine brakes and other like devices.*

(a) The sounding of any device or piece of equipment, including, but not limited to a retarder, Jake brake and/or engine brake, which helps slow a motor vehicle's rate of speed, except in an emergency situation where extra braking power is required to avert the danger of bodily harm to a person or damage to property when the emergency situation is not caused by the driver using the device.

(b) "Retarder, Jake brake and engine brake" mean any exhaust and/or engine device used as braking power to slow down a motor vehicle's rate of speed. When activated, a retarder, Jake brake or engine brake creates noise through the motor vehicle's exhaust system.

('87 Code, § 10-2-6) (Ord. 81-16; Am. Ord. 84-119; Am. Ord. 85-124; Am. Ord. 96-007) Penalty, see § 130.99

