

Chapter 6

NOISE

Sec. 3-6-1. Regulated.

It shall be unlawful for any person to make, continue or cause to be made or continued or permit to be made, continued or caused any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in Augusta-Richmond County.

Sec. 3-6-2. Prohibited noises enumerated.

The following acts are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but this enumeration shall not be deemed to be exclusive:

- (a) *Horns, signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in Augusta-Richmond County except as a danger warning; the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any device for any unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up.
- (b) *Radios, phonographs, similar devices.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a manner as to disturb the comfort, health, peace or safety of reasonable neighboring inhabitants of ordinary sensibilities. The operation of any set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be a prima facie evidence of a violation of this section. (Ref.: *Richmond County, Georgia vs. Cecil Herbert Barnes.*)
- (c) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated, of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.
- (d) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence, or of any persons in the vicinity.
- (e) *Animals, birds.* The keeping of any animal or bird which, by causing frequent or long-continued noise, shall disturb the comfort or repose of any persons in the vicinity.
- (f) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of proper county authorities.
- (g) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal-combustion engine or motorboat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (h) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of

repair, so loaded or in a manner as to create loud and unnecessary grating, grind-ing, rattling or other noise.

(i) *Loading, unloading, opening boxes.* The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(j) *Construction or repair of buildings.* The erection (including excavation), demolition, alteration or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, der-rick, steam or electric hoist, or any other similar equipment attended by loud or unusual noise, other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays; however, the inspections and permits department shall have the author-ity, upon determining that the loss or inconvenience which would result to any party in interest would be extraordinary and of such nature as to warrant special consideration, to grant a permit for a period not to exceed ten (10) days within which time such work and operation may take place within the hours of 10:00 p.m. to 7:00 a.m.

(k) *Schools, courts, places of worship, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, place of worship or court while in use, or adjacent to any hospital which unreasonably interferes with the normal operation of that institu-tion, or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in those streets indicating a school, hospital or court street.

(l) *Hawkers, peddlers, vendors.* The shouting and crying of peddlers, hawkers and vendors which disturb the peace and quiet of the neighborhood.

(m) *Noise to attract attention.* The use of any drum or other instrument or device for

the purpose of attracting attention by creation of noise to any performance, show or sale.

(n) *Transportation of metal rails or similar materials.* The transportation of rails, pillars or columns of iron, steel or other material over and along streets and other public places so as to cause loud noises or as to disturb the peace and quiet of those streets or other public places.

(o) *Blowers.* The operation of any noise-creating blower or power fan or any internal-combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from the blower or fan is muffled and the engine is equipped with a muffler device sufficient to deaden the noise.

(p) *Sound trucks.* The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other commercial purposes. The use of sound trucks for noncommercial purposes during hours and in places and with volume as would constitute this use as a public nuisance; provided, that the provisions of this section shall not apply to or be enforced against:

- (1) Any vehicle of Augusta-Richmond County while engaged in necessary public business;
- (2) Excavations or repairs of streets by or on behalf of Augusta-Richmond County or the state at night when the public welfare and convenience renders it impossible to perform such work during the day; or
- (3) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

(Ord. No. 6625, § 1, 7-15-03)

Sec. 3-6-3. Hospital zones.

There shall be within Augusta-Richmond County what shall be known as hospital zones around such hospitals or sanitoriums as may be in exist-

ence or that may be established. Within these zones, no unnecessary noises of any kind shall be allowed. These zones shall extend two hundred fifty (250) yards in every direction from any such hospital or sanitorium. The approaches to said zones shall have necessary signs in such localities as to enable everyone to see them. Persons violating this section shall be punished as provided in section 1-6-1 of this Code.

Sec. 3-6-4. Penalty for violation of chapter.

Any person or persons failing to comply with the lawful provisions of this chapter or any act prohibited by this chapter or failing to do any act mandated by this chapter shall be guilty of an offense, and upon trial as a misdemeanor and conviction, shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00) and/or imprisonment in the county jail for a period not to exceed sixty (60) days.