

B. The City may authorize conditions which encumber its easements upon written authorization of officers, agents or employees having authority to grant the obstruction. [BC 5.05.116 B, added by Ordinance No. 3361, 4/3/84]

## VI. NUISANCES AFFECTING THE PUBLIC PEACE

### 5.05.125 Radio and Television Interference.

A. No person shall operate or use an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design.

B. This section does not apply to devices licensed, approved, and operated under the rules and regulations of the Federal Communications Commission.

### 5.05.130 Unnecessary Noise.

A. No person shall make, assist in making, continue or cause to be made any loud, disturbing or unnecessary noise which either annoys, disturbs, injures or endangers the comfort, repose, health, safety or peace of others.

B. Loud, disturbing and unnecessary noises in violation of this section include, but are not limited to, the following:

1. the keeping of any bird or animal which, by causing frequent or long-continued noise, shall disturb the comfort and repose of any person in the vicinity;
2. the attaching of a bell to any animal or allowing a bell to remain on an animal.
3. the use of a vehicle or engine, either stationary or moving, so out of repair, loaded or operated as to create any loud or unnecessary grating, grinding, rattling or other offensive noise;
4. the blowing of a steam whistle attached to a stationary boiler, except to give notice of the time to begin or stop work, as a warning of danger or on request of proper City authorities;
5. the use of a mechanical device operated by compressed air, steam or otherwise, unless the noise created by it is effectively muffled.
6. a. The erection, excavation, demolition, alteration, or repair of a building in residential districts, other than between the hours of 7:00 a.m. and 7:00 p.m., except in case of urgent necessity in the interest of the public welfare and safety, and then apply with the permit granted by the building official for a period not to exceed ten days. The permit may be renewed for periods of five days while the emergency continues to exist. If the Council determines that the public health, safety, and welfare will not be impaired by the erection, demolition, alteration, or repair of a building between the hours of 7:00 p.m. and 7:00 a.m., and if the Council further determines that loss or inconvenience would result to a person unless the work is permitted within these hours, the Council may grant permission for the work to be done within the hours of 7:00 p.m. and 7:00 a.m., on application being made at the time the permit for the work is awarded or during the progress of the work. [BC 5.05.130B6, amended by Ordinance No. 3872, 11/1/93]

b. The owner of property may do work on property actually occupied by the owner between the

hours of 6:00 p.m. and 10:00 p.m. without obtaining a permit as required by this subsection;

7. the use of a gong or siren upon a vehicle, other than police, fire, or other emergency vehicle;

8. the creation of excessive noise on a street adjacent to a school, institution of learning, church, or court of justice, while they are in use, or on a street adjacent to a hospital, nursing home, or other institution for the care of the sick or infirm, that unreasonably interferes with the operation of the institution or disturbs or unduly annoys patients;

9. the discharge in the open air of the exhaust of a steam engine, internal combustion engine, motorboat, or motor vehicle, except through a muffler or other device that will effectively prevent loud or explosive noises and the emission of annoying smoke;

10. the use of any sound amplifying device not allowed by a special event permit or such as to constitute the offense of disorderly conduct or such as to create a public nuisance;

11. the conducting, operating or maintaining of a motor vehicle repair garage within 100 feet of a private residence, apartment, rooming house, or hotel in such manner as to cause loud or disturbing noises to be emitted from it between the hours of 11:00 p.m. and 7:00 a.m. [BC 5.05.130(B)(10), amended by Ordinance No. 3634, passed 8/15/88; amended by Ordinance No. 4588, 7/18/12]

#### 5.05.133 Exterior Lighting.

No person shall knowingly allow or direct an exterior lighting fixture to shine light that unreasonably interferes with another person's use or enjoyment of property or shine direct rays of light into a significant natural resource area, vegetated corridor, water quality sensitive area, or preserved habitat benefit area. Lighting fixtures must be a full cut-off design that is shielded, hooded and oriented towards the ground so that direct rays of the lighting source are not visible past the property boundaries and do not shine into the night sky. [BC 5.05.133, added by Ordinance No. 3889, 3/28/94; amended by Ordinance No. 4412, 12/4/06]

#### 5.05.135 Notices and Advertisements.

[BC 5.05.135, amended by Ordinance No. 3320, 4/19/83; repealed by Ordinance No. 3357, 2/28/84]

#### 5.05.136 Posting Notices or Advertisements.

A. No person shall affix, post, place, attach, secure, nail, staple, lay or otherwise deliver or cause to be delivered any placard, handbill, advertisement, leaflet, poster or printed material of any nature upon real or personal property when such property is legibly signed with a notice prohibiting such delivery. The notice required by this section shall be deemed adequate if it is not less than 10 square inches, is visible and legible from the place where the material was delivered and states "No Posting" or words of similar effect.

B. No person shall affix, post, place, attach, secure, nail, staple, lay or otherwise deliver or cause to be delivered any placard, handbill, advertisement, leaflet, poster or printed material of any nature upon public property unless a permit has been obtained from the mayor or the mayor's designee.

C. No person shall affix, post, place, attach, secure, nail, staple, lay or otherwise deliver or cause to be delivered any placard, handbill, advertisement, product sample, leaflet, poster or printed material of any nature at a residence except between the hours of 8:00 a.m. and 9:00 p.m. [BC 5.05.136C, amended by