

14-413

EXCESSIVE NOISE CONSTITUTING DISTURBANCE OF PEACE.

Statement of Intent. No provision of Sections 14-413 and 14-414 shall be construed to limit or abridge the rights of any person to speak, peacefully assemble and express opinions. It is the purpose of this ordinance to protect individuals from unreasonable intrusions caused by excessive, unnecessary or unusually loud noises.
(Ord. 6088)

14-414

SAME. Disturbing the Peace.

- (A) It shall be unlawful for any person to make, continue, maintain or cause to be made or continue any excessive, unreasonable or unusually loud noise which disturbs, injures, endangers the repose, health, peace or safety of other people of ordinary sensitivity within the vicinity of the noise.
- (B) It shall be unlawful for any person to use, operate or permit the use or operation of any electronic device, radio, receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity.
- (C) No person shall participate in or be in any party or gathering of people from which sound emanates at a sufficient volume so as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity. A police officer may order all such persons present at any such party or gathering to immediately disperse from the vicinity of any such party or gathering in lieu of being charged under this ordinance; provided; however, owners or tenants are not required to leave their own dwelling unit. Owners or tenants residing in the dwelling unit where the party or gathering occurs shall, upon request of a police officer, cooperate fully in abating the disturbance and failing to do so shall be in violation of this ordinance.
- (D) For the purposes of this ordinance, the term "neighboring inhabitants" includes those persons in single family dwellings, multiple family dwellings, boarding house rooms, hotel rooms or motel rooms within the vicinity of the noise. (Ord. 6088)

14-415

EXEMPTIONS.

The requirements of Sections 14-413 et seq. shall not apply to the following, provided that all equipment is in repair and operated properly:

- (1) Emergency work necessary to restore property to a safe condition or to protect a person and property from eminent danger;
- (2) Emergency vehicles;
- (3) Alarm systems;
- (4) Trash and waste pickup operations;
- (5) Aircraft or railroads;
- (6) Noise resulting from the activities of a temporary duration planned by school/university, governmental or community groups;
- (7) Air conditioners and lawn care equipment;
- (8) Construction operations; and

(9) Church bells and campanile chimes. (Ord. 6088)

14-416

NO VIOLATION OF DISTURBING THE PEACE IF VIOLATION OF LOUD SOUND AMPLIFICATION SYSTEM ORDINANCE.

The provisions of 14-413 through 14-415 shall not apply to violations of the prohibition against the operation of loud sound amplification systems from within or upon vehicles as established in Section 17-116. (Ord. 7056)