

CHAPTER 9-68. - NOISE CONTROL^[12]

Sections:

Footnotes:

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Charter reference— Authority to regulate and prohibit unnecessary noises, § 855.

State Law reference— Excessive noise from motor vehicles, T.C.A. § 55-8-193.

Sec. 9-68-1. - Loud, disturbing and unnecessary noises generally.

The creating of any unreasonably loud, disturbing and unnecessary noise within the limits of the city is prohibited. Any noise of such character, intensity or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare is prohibited.

(Code 1967, § 24-1; Code 1985, § 22-1)

Sec. 9-68-2. - Excessive noise near school, church, court or hospital.

The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof is prohibited.

(Code 1967, § 24-2; Code 1985, § 22-2)

Sec. 9-68-3. - Creation of noise to attract attention to performance, show or sale.

The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention, by creation of noise, to any performance, show or sale or display of merchandise is prohibited.

(Code 1967, § 24-3; Code 1985, § 22-3)

Sec. 9-68-4. - Playing of radios and phonographs.

- A. The playing of any radio, phonograph, or any musical instrument or sound device, including, but not limited to, loudspeakers or other devices for reproduction or amplification of sound, either independently or in connection with motion pictures, radio or television, in such manner or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in my office, hospital or in any dwelling, hotel or other type of residence, or of any person in the vicinity is prohibited.
- B. The use of playing of any radio or receiving device, at any time, on a public transportation bus or vehicle, which will interfere with, annoy, or disturb the quiet and comfort of any passenger, driver, or the use of any communications facilities installed in the bus or vehicle, unless such instrument is used with, or controlled by, an ear plug so as to make the sound audible only to the individual user, is prohibited.

(Code 1967, § 24-4; Code 1985, § 22-4; Ord. No. 1189, § 1, 2-8-1972)

Sec. 9-68-5. - Yelling, shouting and singing.

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 hospital, dwelling, hotel or any other type of residence or of any persons in the vicinity is prohibited.

(Code 1967, § 24-5; Code 1985, § 22-5)

Sec. 9-68-6. - Building operations.

The erection (including excavation), demolition, alteration or repair of any building or the excavation of streets and highways in any residential district or section, other than between the hours of seven a.m. and six p.m. on weekdays is prohibited, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the chief building inspector, which permit may be granted for a period not to exceed 30 days while the emergency continues, if the chief building inspector determines that the public health and safety will not be impaired thereby and that loss or inconvenience will result to a party in interest if such permit is not granted.

(Code 1967, § 24-6; Code 1985, § 22-6)

Sec. 9-68-7. - Noisy animals and fowl.

The keeping of any animal, bird or fowl which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person in the vicinity is prohibited.

(Code 1967, § 24-7; Code 1985, § 22-7)

Sec. 9-68-8. - Blowing 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 city authorities, is prohibited.

(Code 1967, § 24-8; Code 1985, § 22-8)

Sec. 9-68-9. - Noisy vehicles generally.

The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noise is prohibited.

(Code 1967, § 24-9; Code 1985, § 22-9)

Sec. 9-68-10. - Loading vehicles—Opening or destruction of bales or boxes.

The creation of any loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers is prohibited.

(Code 1967, § 24-11; Code 1985, § 22-10)

Sec. 9-68-11. - Loudspeakers or amplifiers on vehicles.

The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes is prohibited.

(Code 1967, § 24-12; Code 1985, § 22-11)

Sec. 9-68-12. - Mufflers for steam and stationary internal combustion engines.

It is unlawful for any person to discharge into the open air the exhaust of any steam engine or stationary internal combustion engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(Code 1967, § 24-13; Code 1985, § 22-12)

Sec. 9-68-13. - Exemptions from chapter.

None of the terms or prohibitions of this chapter shall apply to or be enforced against:

- A. Any vehicle of the city while engaged upon necessary public business;
- B. Excavations or repairs of bridges, streets, or highways by or on behalf of the city, county or state during the night, when the public welfare and convenience render it impossible to perform such work during the day;
- C. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character;
- D. The use of sound trucks on behalf of candidates or questions during the hours of 10:00 a.m. through 9:00 p.m., on the day of any municipal, county, state or national general or special election, primary or referendum and during similar hours on the ten days immediately preceding such election, primary or referendum.

(Code 1967, § 24-14; Code 1985, § 22-13; Ord. No. 20, § 1, 9-12-1967)