

Sec. 28-36. - Loud noises prohibited.

- (a) It shall be unlawful for any person to play, use, operate, or permit to be played, used or operated any television, radio, audio system in a motor vehicle, record, tape or compact disc player, drum, musical instrument, loudspeaker, communication system, amplification system, or any other sound production or reproduction system or device in such a manner that it is plainly audible (i) across property boundaries or inside the confines of the dwelling unit, house or apartment of another person, between the hours of 10:00 p.m. and 8:00 a.m., or (ii) at a distance of fifty (50) feet or more in any direction from the device.
- (b) For purposes of this section, "plainly audible" means any sound that can be detected by a person using his or her unaided hearing faculties. Specific words or phrases need not be discernible. The detection of bass reverberations is sufficient to constitute a plainly audible sound.
- (c) *Exceptions.* The prohibitions found in this section shall not apply to:
- (1) Activities permitted by law for which a specific license or permit has been granted by the city, state or federal government; including, but not limited to, noise generated by and necessary for the conduct of public festivals, parades, special events, and celebrations of recognized federal, state and local holidays.
  - (2) Noise created by and as a result of publicly sponsored events on property owned or controlled by the public entity sponsoring such events.
- (d) A violation of this section shall constitute a Class 2 misdemeanor.
- (Ord. No. 173, § 36; Ord. No. 254; Code 1961, § 25-12; Ord. No. 2732-81; Ord. No. 2862-81; Ord. No. 4231-91; Ord. No. 6637-09, § 2; Ord. No. 6954-13, § 1)