

## CHAPTER 97: - NOISES

## Section

## § 97.01 - NOISES WHICH ARE PROHIBITED GENERALLY.

Notwithstanding any other provision of this chapter, it shall be unlawful for any person to make, continue, or cause to be made or continued, any excessive, unnecessary or unusually loud noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the village regardless of the time of day or night.

(Ord. 97, passed 5-3-1960; Am. Ord. 92-133, passed 11-10-1992)

## § 97.02 - SPECIFIC ACTS UNLAWFUL.

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

- (A) Horns, Signaling Devices, Etc.: The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the village, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such 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 such signaling device when traffic is for any reason held up.
- (B) Radios, Phonographs, Etc.: The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for the convenient hearing for the person or persons who are in the room, chamber, or vehicle in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty feet (50') from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- (C) Loudspeakers, Amplifiers for Advertising: The using, operating, or permitting to be played, used or operated 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.
- (D) Yelling, Shouting, Etc.: Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 10:00 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, or in any dwelling, hotel, or other type of residence, or of any persons in the vicinity.
- (E) Animals, Birds, Etc.: The keeping of any animal or bird which by causing frequent or long continued noise, shall disturb the comfort or repose of persons in the vicinity.
- (F) Exhausts: The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (G) Defect in Vehicle or Load: The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- (H)

Construction or Repairing of Buildings and Public Improvement: The erection (including excavation), demolition, alteration or repair of any building or public improvement is prohibited other than between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, and the hours of 8:00 a.m. and 6:00 p.m. on Sunday. If the village manager or his designee should determine that the general public will not be impaired by the erection, demolition, alteration or repair of any building, streets, highways or other public improvement within the hours of 9:00 p.m. and 7:00 a.m., Monday through Saturday and the hours of 6:00 p.m. and 8:00 a.m. on Sunday, and if he shall further determine that loss or inconvenience would result to the requesting party in interest, he may grant permission for such work to be done within the hours of 9:00 p.m. and 7:00 a.m. Monday through Saturday and the hours of 6:00 p.m. and 8:00 a.m. on Sunday. The application for said permit may be made at the time the permit for the work is awarded or during the progress of work.

- (I) Schools, Courts, Churches, and Hospitals: The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
- (J) Pile Drivers, Hammers of All Types, Etc.: The operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance is prohibited other than between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, and the hours of 8:00 a.m. and 6:00 p.m. on Sunday.
- (K) 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 such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.
- (L) Garbage Trucks, Scavenger Services: All garbage pickup and dumpster deliveries shall be conducted between the hours of 6:00 a.m. and 10:00 p.m. unless more restrictive hours are listed in this section.
- (M) Prohibited Activities during certain hours: The following activities occurring in a residential district or in a business district which is adjacent to a residential district used for residential purposes are prohibited between the hours of 10:00 p.m. and 7:00 a.m.:
  1. Garbage or refuse pickup or delivery;
  2. Truck deliveries or pickups;
  3. Sweeping or scraping any dust, rubbish or refuse with a mechanical or motorized device;
  4. Loading, unloading, opening boxes except within a completely enclosed building;
  5. Use of any leaf blowing type of device;
  6. Grass cutting;
  7. All other similar operations and activities that generate loud noises of a disagreeable and annoying nature and have the effect of unreasonably disturbing the peace and comfort of the occupants of adjacent premises.

(Ord. 97, passed 5-3-1960; Am. Ord. 92-133, passed 11-10-1992; Am. Ord. 93-151, passed 10-26-1993; Am. Ord. 02-181, passed 12-10-2002; Am. Ord. 05-163, passed 11-8-2005; Am. Ord. 13-011, passed 2-12-2013)

#### § 97.03 - DECIBEL LEVELS.

No person shall operate or cause to be operated on any property within the village any continuous, predictable or recurring source of sound in such a manner as to create a sound pressure level measured on a sound level meter using the A-weighting network at or within the property limits of the receiving residential property which exceeds fifty-five (55) decibels between the hours of 10:00 p.m. and 6:00 a.m. Sunday night to Saturday morning and the hours of 10:00 p.m. through 8:00 a.m. Saturday night to Sunday morning.

(Ord. 95-138, passed 11-14-1995)

#### § 97.04 - CONFORMANCE TO ANSI STANDARDS.

The village shall use procedures for the measurement of sound that conform with the standards and recommended practices established by the American National Standards Institute, Inc.

(Ord. 95-138, passed 11-14-1995)