

Chapter 7.32

SOUND LIMITATIONS

Sections:

- 7.32.010 Prohibitions.
- 7.32.020 Definitions.
- 7.32.040 Noise limitation.
- 7.32.050 Sound measurement.
- 7.32.060 Exceptions.
- 7.32.070 Temporary permits.

Prior ordinance history: prior code §§ 33.1 § 33.6 as amended by Ords. 998, 1237, 1250 and 1396.

7.32.010 Prohibitions.

- A. It is unlawful to make or cause to be made, or create or cause to be created, any noise, the sound levels of which, when measured at a distance of twenty-five feet or more from any property line, are in excess of the limits set out in Section 7.32.040.
- B. It is unlawful to make or cause to be made, or create or cause to be created, any periodic, impulsive or shrill noises which, when measured as in subsection (A) above, are in excess of a sound level of 5 db(A) less than the limits set out in Section 7.32.040. (Ord. 1988 § 1 (part), 1981)
- C. **It is unlawful to make, continue or cause to be made or continued any unreasonable noise;** and no person shall knowingly permit such noise upon any premises or in or upon any vehicle owned or possessed by such person or under such person's control or operation. For purposes of this Section 7.32.010(C), peace officers are empowered to make a prima facie determination as to whether a noise is unable.

With regard to the operation of motor vehicles, and without limiting the generality of the Section, unreasonable noise shall include, but not be limited to:

- (1) **The continuous or repeated sounding of any horn or signal device of a motor vehicle, except as a danger signal.** For the purposes of this Subsection, *continuous* shall mean continuing for an unnecessary or unreasonable period of time.
- (2) The operation of any motor vehicle in a manner which causes excessive noise as a result of unnecessary rapid acceleration, deceleration, revving the engine or tire squeal.

7.32.020 Definitions.

As used in this chapter the following words shall be defined as set out below:

- A. "Residential" means an area of single or multifamily dwellings where businesses may or may not be conducted in such dwellings. This zone includes areas where multiple unit dwellings, high rise apartment districts, hospitals, nursing homes and similar institutional facilities and redevelopment districts are located. A residential zone may include areas containing accommodations for transients, such as residential hotels and motels, and residential areas with limited office development, but it may not include retail shopping facilities.
- B. "Commercial" means an area containing offices, clinics and facilities needed to serve them; local shopping and service establishments located within walking distances of the residents served; tourist-oriented areas containing hotels, motels and gasoline stations, integrated regional shopping areas, a business strip along a main street containing offices, retail businesses and

commercial enterprises, commercial business district or a commercially dominated area with multiple unit dwellings.

- C. "Industrial" means an area in which noise restrictions on industry are necessary to protect the value of adjacent properties or for other economic activity, but shall not include agricultural operations.
- D. "Adjacent." When a noise source can be measured for more than one zone, the permissible sound level of the more restricted zone shall govern.
- E. "db(A)" means sound levels in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute ("ANSI"), Publication S1.4-1983 or successor publications of ANSI, or its successor bodies.
- F. "Decibel" means a unit used to express the magnitude of a change in sound level. The difference in decibels between two sound pressure levels is twenty times the common logarithm of their ratio. In sound pressure measurements sound levels are defined as twenty times the common logarithm of the ratio of that sound pressure level to a reference level of $2 \times 10^{-5} \text{ N/m}^2$ (Newtons/meter squared). As an example of the formula, a 3 decibel change is a one hundred percent increase or decrease in the sound level, and a 10 decibel change is a one thousand percent increase or decrease in the sound level.
- G. "Property" means real and personal property, but not including motor vehicles or motorized bicycles or motorcycles. (Ord. 1988 § 1 (part), 1981)
- H. "Unreasonable noise" means any sound of such level and duration as to be or tend to be injurious to human health or welfare, or which would unreasonably interfere with the enjoyment of life or property throughout the city or in any portions thereof, but excludes all aspects of the employer-employee relationship concerning health and safety hazards within the confines of a place of employment.

7.32.040 Noise limitation.

Except as provided in Section 7.32.060 and 7.32.070, no noise shall exceed the levels set out below when measured pursuant to Section 7.32.050; provided however, that a violation of section 7.32.010(C) may occur without exceeding these levels and without a measurement:

ZONE	7 a.m. to 9 p.m.	9 p.m. to 7 a.m.
Residential	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)
Industrial	75 db(A)	70 db(A)

(Ord. 4998 § 1 (part), 2005; Ord. 1988 § 1 (part), 1981)

7.32.050 Sound measurement.

A noise shall be measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute "ANSI", Publication S1.4-1983, or successor publications of ANSI, or its successor bodies. Measurements with sound level meters shall be made when the wind velocity at the time and place of such measurement is not more than five miles per hour. In all sound level measurements, consideration shall be given to the effect of the ambient noise level created by the encompassing noise of the environment from all sources at the time and place of such sound level measurement. (Ord. 1988 § 1 (part), 1981)

7.32.060 Exceptions.

- A. In the hours between seven a.m. and the next nine p.m. the noise levels permitted in 7.32.040 may be increased by 10 db(A) for a period of not exceeding fifteen minutes in any one hour.

- B. All sound emanating from any aircraft, church, warning or emergency signal device used or authorized by any government agency, or program incident to the recognition or celebration of Veteran's Day, shall not be subject to the provisions of this chapter.
- C. The provisions of this chapter shall not apply to any authorized emergency vehicle (as defined by the Model Traffic Code as amended and adopted by the city and the Colorado Revised Statutes) when responding to an emergency call.
- D. The provisions of this chapter shall not apply to those activities of temporary duration permitted by law for which a license or permit has been granted by the city, including but not limited to parades and firework displays.
- E. All railroad rights-of-way are considered as industrial zones for the purposes of this chapter and the operation of trains are subject to the maximum permissible noise levels specified for the industrial zone as indicated in 7.32.040.
- F. Construction projects shall be subject to the maximum noise level specified for industrial zones as indicated in 7.32.040 for the period of the construction project, provided that the proper construction permit has been issued by the city. (Ord. 1988 § 1 (part), 1981)

7.32.070 Temporary permits.

Temporary permits to exceed sound limitations of this chapter may be issued by the city manager. All temporary permits shall contain the following provisions: the duration of the permit, the sound source temporarily permitted, the hours of the day and days of the week such permit is effective, and any other limitations that may be imposed by the city manager. (Ord. 1988 § 1 (part), 1981)