

Sec. 42-1. Noise.

(a) It shall be unlawful for any person to make or cause any unreasonably loud, disturbing, unnecessary noise which causes or may cause material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof.

(b) It shall be unlawful for any person to make or cause any noise of such character, intensity and continued duration as to substantially interfere with the comfortable enjoyment of private homes by persons of ordinary sensibilities.

(c) The following acts, among others, are declared to be noise nuisances in violation of this section, but such enumeration shall not be deemed to be exclusive:

- (1) The playing of any phonograph, television, radio or any musical instrument in such manner or with such volume, particularly between the hours of 10:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type or residence.
- (2) The use of any stationary loudspeaker, amplifier or musical instrument in such manner or with such volume as to annoy or disturb persons of ordinary sensibilities in the immediate vicinity thereof, particularly between the hours of 10:00 p.m. and 7:00 a.m., or the operation of such loudspeaker, amplifier or musical instrument at any time on Sunday, provided, however, that the city manager may make exceptions upon application when the public interest will be served thereby.
- (3) The blowing of any steam whistle attached to any stationary boiler or the blowing of any other loud or far-reaching steam whistle within the city limits, except to give notice of the time to begin or stop work or as a warning of danger.
- (4) The erection, excavation, demolition, alteration, or repair work on any building at any time other than between the hours of 6:00 a.m. and 8:30 p.m., Monday through Friday, from June 1 to September 30; between 7:00 a.m. and 8:30 p.m., Monday through Friday, from October 1 to May 31; between 8:00 a.m. and 8:30 p.m. on Saturday and between 1:00 p.m. and 8:30 p.m. on Sunday; provided, however, the city manager may issue special permits for such work at other hours in case of urgent necessity and in the interest of public safety and convenience.
- (5) The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates or containers.
- (6) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noises to any performance, show, theater, motion picture house, sale of merchandise or display which causes crowds or people to block or congregate upon the sidewalks or streets near or adjacent thereto.

(Ord. No. O-20-99, § 1, 5-24-1999)

Cross reference—Sound amplification on vehicles, § 102-5.