

## 6-2-7: NOISE:

A. Applicability: Except as provided in subsection B of this section, this section applies to all sound or noise emitted from a source located, or caused by an activity conducted, within the corporate boundaries of the city.

### B. Exemptions:

1. This section does not apply to sound or noise emitted or caused by:
  - a. Licensed waste haulers operating between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. on Mondays through Saturdays.
  - b. All work and activities related to the construction or demolition of any building or structure, or the improvement of any parcel of property, performed between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. on Mondays through Saturdays and the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. on Sundays and official holidays of the city. The work and activities described in this subsection B1b includes, without limitation: grading; excavation; demolition; alteration; repair; landscape and hardscape work; loading, unloading, moving, or preparing any materials, supplies, equipment or personnel; and the idling of engines of motor vehicles exceeding eight thousand (8,000) pounds' gross vehicle weight, while such vehicles are standing upon or adjacent to work sites.
  - c. All vehicles and equipment operated by the city, any other unit of government, and any utility, or any of their contractors or subcontractors, in the course of performing services or work, including, without limitation, public safety and emergency response services, for the general welfare of the public.
  - d. All work, activities, vehicles, and equipment related to the removal of snow and ice from public or private property.
  - e. A lawfully organized, permitted, and supervised civic or public celebration or parade.
  - f. Aircraft operated in accordance with, or pursuant to, federal law and regulations and any aircraft operating under technical difficulties or in any kind of distress.
  - g. Vehicles on state roads and interstate highways.
  - h. Gatherings of five (5) or more people at a residential property occurring during times other than "quiet hours" (defined in subsection E of this section) and emitting noise that does not exceed seventy five (75) dBA measured at any point at or beyond the lot line of the property at which the social gathering is located.
  - i. Special or temporary events sponsored by the city or held pursuant to a temporary license issued by the city pursuant to [title 4, chapter 3](#) of this code.
  - j. Railroad trains in transit through the city.
2. The city council has the power, but not an obligation, to grant a variance to the requirements of this section for noise to be emitted on a specific date and for a specific duration of time after: a) receiving an application for a variance describing the date, times, and activity for which the

variance is requested, and any other information the city may require, b) conducting a public review of the application, and c) passing a resolution authorizing the variance.

- C. **Effect On Other Actions:** Nothing in this section impairs any cause of action or legal remedy, including, without limitation, actions under the rules and regulations of the Illinois pollution control board, of any private or public person or entity that arises from the emission of noise.
- D. **Excessive Noises Prohibited:** Excluding those exemptions set forth in subsection B of this section, it is unlawful for any person to make, cause to be made, or continue, within the corporate limits of the city, any sound or noise that is determined to be excessive pursuant to the standards set forth in this section.
- E. **Definition And Measurement Of Excessive Noise:**
1. Except as otherwise provided in this section, "noise" or "sound level" means the weighted sound pressure level obtained by the use of: a) a sound level meter that meets the American National Standards Institute (ANSI) standards for type 1 or type 2 sound level meters, or an instrument and associated recording and analyzing equipment that will provide equivalent data, and b) frequency weighting network "A" as specified in the most recent ANSI specifications for sound level meters.
  2. Only members of the police department or other authorized city employees who have received training that meets ANSI standards in the operation of approved sound meters will obtain sound levels to determine whether sound levels comply with this section.
  3. "Quiet hours" means the period of time beginning at ten o'clock (10:00) P.M. and ending at seven o'clock (7:00) A.M. the following day, unless the following day is a Saturday, Sunday or official city holiday, in which case "quiet hours" means the period of time beginning at eleven o'clock (11:00) P.M. and ending at ten o'clock (10:00) A.M. the following day. Official city holidays are New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, day after Thanksgiving Day, and Christmas Day.
  4. During quiet hours, "excessive noise" means:
    - a. Sound emitting from any property, or inside any structure thereon, that exceeds: 1) fifty (50) dBA measured at any location at or beyond the lot line of that property, or 2) forty (40) dBA measured at any location inside any other structure.
    - b. Sound emitting from any source not located on a property or inside a structure, including, without limitation, vehicles and equipment located on a public right of way, that exceeds: 1) fifty (50) dBA measured at any point located more than thirty feet (30') away from the sound source, or 2) forty (40) dBA measured at a location inside any structure.
  5. At all times other than quiet hours, "excessive noise" means:
    - a. Sound emitting from any property, or inside any structure thereon, that exceeds: 1) sixty five (65) dBA measured at any location at or beyond the lot line of that property, or 2) fifty five (55) dBA measured at any location inside any other structure.

- b. Sound emitting from any source not located on a property or inside a structure, including, without limitation, vehicles and equipment located on a public right of way, that exceeds: 1) sixty five (65) dBA measured at any point located more than thirty feet (30') away from the sound source, or 2) fifty five (55) dBA measured at a location inside any structure.
- F. Definition And Measurement Of Excessive Noise From Amplified Sound: In addition to the other prohibitions on excessive noise set forth in this section, it is unlawful for any person to cause or permit any sound production or amplification device to emit sound that crosses a property line and raises the total sound levels on another property above the neighborhood residual sound level by more than: 1) three (3) dBC during quiet hours or 2) six (6) dBC during all other times measured from a location within the residence of a complainant. These sound level measurements shall be conducted with the sound level meter using frequency weighting network "C", "fast" response, as specified in the most recent ANSI specifications for sound level meters.
- G. Violations: Violators of any provision of this section will be fined in accordance with the general penalty set forth in [title 1, chapter 4](#) of this code for each offense. (Ord. M-32-14, 9-15-2014)