

5.225 Unnecessary Noise

(1) No person shall make, continue, cause, or permit to be made or continued any noise disturbance. The following are declared to be noise disturbances in violation of this section, but this enumeration is not exclusive:

(a) Barking dogs or other noisy animals which disturb the comfort and repose of any person in the vicinity.

(b) Use of sound producing or reproducing equipment that is plainly audible within a dwelling unit that is not the source of the sound, or use of such equipment on public property or on a public right-of-way so as to be plainly audible 50 feet or more from the source of the sound. The city manager or his designee may grant an exemption from this subsection to allow a person reasonable use of public property or the right-of-way to broadcast music or speech.

(c) Parking a motor vehicle of 10,000 pounds GVW (gross vehicle weight) or more with the motor or auxiliary equipment in operation on a public right-of-way or on private property between the hours of 10 p.m. and 7 a.m., if the noise so produced is plainly audible within a dwelling unit. This subsection shall not apply to commercial construction equipment, to the normal operation of vehicles designed and used for commercial transportation of passengers, or to other vehicles being loaded or unloaded.

(d) Alteration, demolition, erection, or repair of any structure between the hours of 6 p.m. and 7 a.m. The City Manager or his designee may grant an exception to a person from this subsection if the manager or his designee determines that the public interest requires it or that there are no persons in the area who would be disturbed by the work.

(e) Operation of mechanically powered lawn equipment, garden tools, chainsaws, blowers or similar devices in a residentially zoned neighborhood between the hours of 10:00 p.m. and 7:00 a.m.

(f) Operation of any motor vehicle in excess of 10,000 pounds GCWR (Gross Combination Weight Rating) in any residential zone of the city or within 300 feet of any dwelling unit, school, hospital, library, or business with an engine braking device engaged; except in an emergency situation to avoid imminent danger to a person or to property.

(2) Violation of this section constitutes a violation. Every day in which a noise disturbance as defined in this section is made, continued, caused, or permitted to be made or continued constitutes a separate violation.

[Amd. Ord. No. 6129, June 2, 1988; Amd. Ord. No. 7710, Aug. 18, 1994; Amd. Ord. No. 7729, Oct. 6, 1994; Amd. Ord. No. 2000-45, March 16, 2000; Amd. Ord. No. 2003-215, Aug. 7, 2003; Amd. Ord. No. 2003-270, Oct. 16, 2003.]