

35.004 - Noises prohibited; exceptions.

Sec. 21-4. Among others, each of the following acts is declared unlawful and is prohibited, but this enumeration shall not be exclusive, namely:

- (a) **HORNS AND SIGNAL DEVICES.** The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control or to give warning of intent to get under motion, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time;
- (b) **RADIO, TELEVISION AND MUSICAL INSTRUMENTS.** The playing of any radio, television, phonograph or any musical instrument in such a manner or with such volume, particularly during the hours between 11:00 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 any person in the vicinity;
- (c) **SHOUTING AND WHISTLING.** Yelling, shouting, hooting, whistling or singing, or the making of any other loud noise on the public streets, between the hours of 11:00 p.m. and 7:00 a.m., or the making of any such noise at any time so as to annoy or disturb the quiet, comfort or repose of any person in the vicinity;
- (d) **HAWKING.** The hawking of goods, merchandise or newspapers in a loud and boisterous manner;
- (e) **ANIMAL AND BIRD NOISES.** The keeping of any animals or birds which by causing frequent or long continued noise shall disturb the comfort or repose of any person;
- (f) **WHISTLE OR SIREN.** The blowing of any whistle or siren, except to give notice of the time to begin or stop work or as a warning of fire or danger;
- (g) **ENGINE EXHAUSTS.** The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which effectively prevents loud noises therefrom;
- (h) **CONSTRUCTION NOISES.** The erection (including excavating), demolition, alteration, or repair of any building, the excavation of streets and highways, other than between the hours of 7:00 a.m. and 6:00 p.m. unless a permit be first obtained from the Community Services Director, City Manager or Assistant Community Development Director;
- (i) **HANDLING MERCHANDISE.** The creating of a loud and excessive noise in connection with loading and unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers;
- (j) **DEVICES TO ATTRACT ATTENTION.** The use of any drum, loud speaker, amplifier, or other instrument or device for the purpose of attracting attention for any purpose;
- (k) **NOISE OR COMMOTION IN VEHICLES.** To make a commotion or make unnecessarily loud noises, whereby the peace and good order of the neighborhood is disturbed, or persons owning or occupying property in the neighborhood are disturbed or annoyed;
- (l) **SOUND TRUCKS.** To operate or cause to be operated a sound truck with radio or amplifier within the city without first having obtained a permit therefor from the council;
- (m) **[TIRE NOISE].** To operate any motor vehicle in such manner as to cause the tires thereof to be skidded whereby excessive noise shall be emitted and the peace and good order of the neighborhood disturbed (ord. 559);
- (n)

ELECTRONICALLY AMPLIFIED SOUND SYSTEMS IN MOTOR VEHICLES. The operation of an electronically amplified sound system in or on a parked, idling or moving vehicle, including motorcycles and mopeds, which produces sound that is clearly audible more than fifty (50) feet from such vehicle. The person operating or in control of such vehicle shall neither operate such sound system nor permit or acquiesce in the operation of such sound system in the proscribed manner.

None of the prohibitions herein shall apply to or be enforced against: emergency vehicles, any police or fire vehicle or ambulance while engaged in responding to any public emergency; highway maintenance and construction. Necessary excavations or repairs of bridges, streets, or highways by or on behalf of the city, county or state during the night, when the public safety, welfare and convenience renders it possible to perform such work during the day; the reasonable use of stationary amplifiers or loud speakers in the course of public addresses which are non-commercial in character.

(chap. 21 eff. Dec. 3, 1968; amend. eff. Apr. 2, 1991; amend. eff. Jan. 24, 1995)