

6-3-6: NOISES CREATING PUBLIC DISTURBANCE:

A. Prohibited Acts: Between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M., or at any time so as to unreasonably disturb or interfere with the peace, comfort or enjoyment of others, it is unlawful for any person to cause, or for any person in possession of property to allow to originate from such property, sound that is a public disturbance noise. The following sounds are determined to be public disturbance noises:

1. Horns Or Sirens: The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;
2. Repetitive Motor Vehicle Sounds: The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off highway vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property;
3. Yelling Or Shouting: Yelling, shouting, hooting, whistling or singing on or near the public streets which unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property;
4. Noise From Buildings: The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment, or condominium, or from any fixture or apparatus attached thereto, which unreasonably interfere with the peace, comfort, and repose of owners or possessors of real property, such as sounds from audio equipment, musical instruments, band sessions or social gatherings;
5. Motor Vehicle Sound Systems: Sound from motor vehicle sound systems, such as tape players, radios, and compact disc players, operated at a volume so as to be audible greater than fifty feet (50') from the vehicle itself;
6. Audio Equipment: Sound from audio equipment or any device that amplifies sound, operated at a volume so as to be audible greater than fifty feet (50') from the source or so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property.

B. Exceptions:

1. Sounds caused by any emergency vehicle or personnel when responding to an emergency call or acting in time of emergency.
2. Sounds caused by activities upon any outdoor municipal, school, religious, or publicly owned property, park, or facility, provided that such activities have been authorized by the owner of such property or facility or its agent.
3. Sounds caused by parades, fireworks displays, or any other event for which a permit for

that type of activity is required and has been obtained from the authorized governmental entity within such hours as may be imposed as a condition for the issuance of said permit.

4. Sounds caused by locomotives or other railroad equipment.
5. Sounds caused by burglar alarms that are not in violation of this code.
6. Sounds caused by safety warning devices required by law.
7. Sounds caused by devices or machinery that is part of the use within the confines of the particular zoning designation that the device is located or pursuant to a conditional use permit (i.e., drive-through window speakers, car lot PA systems).
8. Sounds emanating from devices used within the common areas of a multi-unit facility whose use has been approved by the owners or management of the facility. Said use must comply with any regulations imposed by the owners or management of the facility to be exempt under this section. This exemption only applies in relation to other units within the same facility.

C. Violation, Penalties: A violation of this section shall be a misdemeanor. (Ord. 12-1517, 6-26- 2012, eff. 7-1-2012)