Sec. 28-36. - Loud noises prohibited.

(a) It shall be unlawful for any person to play, use, operate, or permit to be played, used or operated any television, radio, audio system in a motor vehicle, record, tape or compact disc player, drum, musical instrument, loudspeaker, communication system, amplification system, or any other sound production or reproduction system or device in such a manner that it is plainly audible (i) across property boundaries or inside the confines of the dwelling unit, house or apartment of another person, between the hours of 10:00 p.m. and 8:00 a.m., or (ii) at a distance of fifty (50) feet or more in any direction from the device.

(b) For purposes of this section, "plainly audible" means any sound that can be detected by a person using his or her unaided hearing faculties. Specific words or phrases need not be discernible. The detection of bass reverberations is sufficient to constitute a plainly audible sound.

(c) Exceptions. The prohibitions found in this section shall not apply to:

(1) Activities permitted by law for which a specific license or permit has been granted by the city, state or federal government: including, but not limited to, noise generated by and necessary for the conduct of public festivals, parades, special events, and celebrations of recognized federal, state and local holidays.

(2) Noise created by and as a result of publicly sponsored events on property owned or controlled by the public entity sponsoring such events.

(d) A violation of this section shall constitute a Class 2 misdemeanor.

(Ord. No. 173, § 36; Ord. No. 254; Code 1961, § 25-12; Ord. No. 2732-81; Ord. No. 2862-81; Ord. No. 4231-91; Ord. No. 6637-09, § 2; Ord. No. 6954-13, § 1)