

## **CHAPTER 24**

### **NOISE**

#### **Sec. 24-1. Prohibited generally.**

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the city. (Gen. Code 1946, Ch. 3, 109.1; Code 1972, 9.31)

#### **Sec. 24-2. Horns, warning devices.**

The sounding of any horn or other warning device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a danger warning; the creating by means of any such warning device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; and the use of such warning device when traffic for any reason is held up shall be deemed a violation of this chapter. (Gen. Code 1946, Ch. 3 109.2; Code 1972, 9.32)

Cross reference – Traffic and motor vehicles generally, Ch. 41.

#### **Sec. 24-3. Radios, phonographs, musical instruments, etc.**

- (a) Using, operating or permitting to be played, used or operated, any radio receiving set, television set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, or chamber in which such radio receiving set, television set, musical instrument, phonograph or other machine or device is operated and who are voluntary listeners thereto, shall be deemed a violation of this chapter. The operation of any such set, instrument, phonograph, machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- (b) A person may obtain a written permit from the city clerk, to use, play or perform upon any bugle, hand organ, mouth organ, barrel organ, barrel accordion, hurdy-gurdy or other musical instrument upon any street, alley or public place. (Gen. Code 1946, Ch. 3, 109.3; Code 1972, 9.33; Ord. of 6-25-90, 1)

#### **Sec. 24-4. Devices to attract attention of public.**

No person shall operate any sound amplifying device, or shout or cry, nor blow any horns, ring any bell or use any similar device for the purpose of advertising or attracting the attention of the public; provided that any governmental unit or any bona fide nonprofit organization may use such device if proper application is made to the city clerk and permission is issued therefor. In no case will permission be granted for such use on a Sunday nor at any other time or in any other manner which in the opinion of the chief of police will constitute a nuisance. (Gen. Code 1946, Ch. 3, 109.4; Code 1972, 7.75, 9.34)

#### **Sec. 24-5. Yelling, shouting.**

Yelling, shouting, hooting, whistling or singling on the public streets, particularly between the hours of 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 persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity shall be deemed a violation of this chapter.

#### **Sec. 24-6. Animals, fowl.**

The keeping of any animal or bird which by causing frequent or long, continued noise shall disturb the comfort

or repose of any person in the vicinity shall be deemed a violation of this chapter.

Cross reference – Animals and fowl generally, Ch. 9.

**Sec. 24-7. Defect in vehicle or load.**

The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise shall be deemed a violation of this chapter.

Cross reference – Traffic and motor vehicles generally, Ch. 41.

**Sec. 24-8. Loading, unloading, opening boxes.**

The creating of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers shall be deemed a violation of this chapter.

**Sec. 24-9. Pile drivers, hammers, etc.**

The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise, except by written permission of the chief of police, and then only in case of emergency, shall be deemed a violation of this chapter. (Gen. Code 1946, Ch. 3, 109.5; Code 1972, 9.35)

Cross reference – Buildings and building regulations, Ch. 11.

**Sec. 24-10. Blowers.**

The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise, shall be deemed a violation of this chapter. (Gen. Code 1946, Ch. 3, 109.6; Code 1972, 9.36)

**Sec. 24-11. Screeching of tires.**

The operation of any motor vehicle in such a way as to cause the tires thereof to screech except where the same is necessarily caused in an emergency in an attempt by the operator to avoid an accident or the causing of damage or injury shall be deemed a violation of this chapter.

Cross reference – Traffic and motor vehicles generally, Ch. 41.

**Sec. 24-12. Operation of power mowers; construction, demolition – Restricted.**

It shall be unlawful for any person to operate a motor-driven or power-operated lawnmower, or to engage in any construction or demolition work within the city between the hours of 10:00 p.m. and 6:00 a.m. the following day.

Cross reference-Buildings and building regulations, Ch. 11.

**Sec. 24-13. Same – Emergency permit.**

In the event of an emergency, a permit may be issued exempting any person from section 24-12 for any period of time specified on the face of the permit. The permit may be issued free of charge by the police department.

**Sec. 24-14. Same – Government agencies, utilities.**

Section 24-12 shall not apply to emergencies of any governmental subdivision or any public utility.

