

§ 130.20 NOISE.

(A) *General prohibition.*

- (1) Unreasonably loud, disturbing, and unnecessary noise is prohibited.
- (2) Noise that is detrimental to the life or health of any individual is prohibited.
- (3) Noise that disturbs the public peace and welfare is prohibited.

(B) *Factors to be considered.* In determining whether noise is in violation of division (A), all relevant factors may be considered, including, but not limited to the following:

- (1) The sensitivities of an ordinary person;
- (2) Time of day;
- (3) Duration of the noise;
- (4) Intensity of the noise;
- (5) Frequency of the noise;
- (6) Type of the noise;

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(3) *Loudspeakers or amplifiers on vehicles.* Use of mechanical loudspeakers or amplifiers on a motor vehicle for advertising or other purposes. This division shall not apply to (i) vehicles that participate in a parade or procession permitted by the Police Chief and (ii) ice cream vendors playing traditional instrumental music between the hours of 8:00 a.m. and 8:00 p.m.

(4) *Exhaust discharge.* Operation of a motor vehicle, a motorized play vehicle, or any other internal combustion engine which is not at all times equipped with a muffler upon the exhaust. Such muffler shall be in good working order and in constant operation to prevent excessive or unusual noise. A cut-out, by-pass, or similar muffler elimination appliance shall not be used.

(5) *Vehicle use.* Use of any motor vehicle so out of repair, so loaded, or in such a manner as to create loud and unnecessary grating, grinding, rattling, or other noise.

(6) *Squealing tires.* Squealing a motor vehicle's tires while accelerating.
(`82 Code, § 10-1-13)

(7) *Exhaust braking.* Use of any mechanical exhaust device designed to aid in the braking or deceleration of any motor vehicle which results in excessive, loud, unusual or explosive noise from such vehicle, otherwise known as engine-braking or a Jake brake.

(8) *Outdoor construction/repair.* Operation of equipment or performing any outside construction or repair work on buildings, structures or projects, operating any pile driver, power shovel, pneumatic hammer, derrick, power hoist, concrete truck or any other construction type device or any other device, equipment or vehicle utilized for the purposes of outdoor construction or repair except within the time periods specified in this division.

(a) *Start/stop times.* From June 1 to September 1, inclusive, all construction or repair work shall not begin prior to 5:00 a.m. and must stop by 10:00 p.m. From September 2 to May 31, inclusive, all construction or repair work shall not begin prior to 6:00 a.m. and must stop by 10:00 p.m.

(b) *Weekends and holidays.* Notwithstanding anything to the contrary herein, construction, repair, industrial and manufacturing work shall not begin prior to 6:00 a.m. and must stop by 10:00 p.m. on Saturday, Sunday or a state or federal holiday.

(9) *Animals.* Keeping any animal or fowl in a manner which causes (i) loud, frequent, raucous, or long continued noise that disturbs the comfort and repose of any person in the vicinity; or (ii) repeated howling, barking, whining, or other utterances that disturb the peace and quiet of any person or deprive any person or persons of the quiet and peaceful enjoyment of their property.

(10) *Non-emergency signaling devices.* Sounding an amplified signal from any bell, chime, siren, whistle, or similar device, intended primarily for non-emergency purposes from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of worship and ice cream trucks is exempt from the provisions of this division.