

## CHAPTER 91: NOISE

### Section

- 91.01 Generally
- 91.02 Music, radio, television and the like
- 91.03 Exemptions
- 91.04 Sound trucks and the like
  
- 91.99 Penalty

### **§ 91.01 GENERALLY.**

The making of all unnecessary, unreasonable or unwarranted noise within the town in a manner as to disturb the peace and quiet of the town is declared unlawful.  
(Prior Code, § 10-13) Penalty, see § 91.99

### **§ 91.02 MUSIC, RADIO, TELEVISION AND THE LIKE.**

The playing of any television set, radio, tape player, phonograph, or any musical instrument or any other device for the production of sound in a manner or with the volume as to annoy or disturb the quiet, comfort or repose of reasonable persons and also more specifically operating or permitting the use or operation of any television set, radio, tape player, musical instrument, phonograph or any other device for the production of sound in a manner as to be plainly audible across property boundaries or through partitions common to two residences within a building or plainly audible at 50 feet from the device, when operated within a motor vehicle driving or parked on a public right-of-way or in a public place.  
(Prior Code, § 10-13) Penalty, see § 91.99

### **§ 91.03 EXEMPTIONS.**

Sections 91.01 and 91.02 shall have no application to the following:

(A) Fire, rescue, police, ambulance or other emergency vehicles to any noise or sound created thereby or by any person to sound a warning or call attention to a bona fide emergency or to any sound made in the performance of emergency work;

(B) Noise or sound which customarily accompanies parades, sporting events, public functions or commemorative events except to the extent that the activities are subject to conditions set forth in any required permits therefore; or

(C) Noise or sound which customarily accompanies activities conducted in any gymnasium, theater, swimming pool, stadium or similar sporting facility.  
(Prior Code, § 10-13)

#### **§ 91.04 SOUND TRUCKS AND THE LIKE.**

(A) It shall be unlawful for any person either as principal, agent or employee, to play, use or operate for advertising purposes **on or upon** the streets or in public parking lots in the town any device known as a sound truck loud-speaker or sound amplifier, or any instrument known as a calliope, or any other instrument of any kind or character, which emits there from loud and raucous noises and is attached to any vehicle operated or standing upon any street or public parking lot.

(B) It shall be unlawful for any person either as principal, agent or employee, to play, use or operate for advertising purposes **or upon any** street in the town any sound amplifying device or mechanism for creating or reproducing sound, attached to any vehicle, unless the vehicle is moving at a rate of speed in excess of ten mph.

(Prior Code, § 10-14) Penalty, see § 91.99

#### **§ 91.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any provision of this section shall be deemed guilty of a class 2 misdemeanor. Each day the violation is committed shall constitute a separate offense and shall be punishable as hereunder.

(Prior Code, § 10-13)