

CHAPTER 12.

NOISE.

As to nuisances generally, see ch. 13 of this Code.

- § 12-1. Noises of certain character prohibited.
- § 12-2. Some of the specific noises prohibited.
- § 12-3. Authority of police officers.

Sec. 12-1. Noises of certain character prohibited.

The creation and continuation of any loud, disturbing and unnecessary noise in the city is hereby prohibited. It shall be unlawful for any person to cause, make or contribute to creating any loud or disturbing noise of such character, intensity or duration as to be detrimental to the life or health of any individual, or such noises as disturb the quiet and peace of any citizen of the city.

Sec. 12-2. Some of the specific noises prohibited.

The following acts, among others, are declared to be loud, disturbing, annoying and unnecessary noises in violation of this chapter, but such enumeration shall not be deemed to be exclusive:

(a) Blowing horns. The sounding or blowing of any horn or signal device on any automobile, motorcycle, motor bus or other vehicle, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal; the creation by means of any signal device of any loud or harsh noise, and the sounding of such device for any unnecessary or unreasonable period of time.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, piccolo or any musical instrument in such manner or with such volume as to annoy or disturb any person, or the playing of such instrument in such manner as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel or other residence.

(c) Pets. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity.

(d) Use of vehicle. The use of any automobile, motorcycle or vehicle so out of repair, so loaded, or used or repaired in such manner as to create loud or unnecessary noises, particularly grating, grinding, rattling, riveting or other disturbing noises.

(e) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.

(f) Exhaust discharge. To discharge into the open air the exhaust from any steam engine, stationary internal combustion engine, motor boat engine or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(g) Devices using compressed air. The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced.

(h) Building operations. The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 A.M. and 6:00 P.M. on week days, except in cases of urgent necessity in the interest of public safety, and then only with a permit from the proper city officials.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any school, institution of learning, library, sanitarium, hospital or court, while the same is in session, or adjacent to any church during church services, which interferes with the work or worship in any such place or institution; provided, that signs must be displayed in such streets indicating that the same is a school, hospital, church, library, sanitarium or court street.

(j) Loading and unloading operations. The creation of loud and excessive noises in connection with loading or unloading any vehicle, or repairing any vehicle, or opening and destroying bales, boxes, crates and containers.

(k) Bells or gongs. The sounding of any bell or gong attached to any building or premises which disturbs the quiet or repose of any person in the vicinity thereof.

(l) Hawking, peddling or soliciting. Shouting, loud talking, crying or soliciting by peddlers, hawkers, taxi drivers, solicitors and vendors, which disturb the quiet and peace of the neighborhood, or any person therein.

(m) Noises to attract attention. The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention to any performance or event, show, sale or the display or advertisement of merchandise, by the creation of noise.

(n) Loud-speakers or amplifiers on vehicles. The use of any mechanical loud-speakers or amplifiers on trucks, airplanes or other vehicles for advertising or other purposes, except by special permission of the city council.

(o) Business noises at night near residences. The operation of any garage, filling station, auto repair business, taxi business, plant, store, factory or other place of business, between the hours of 8:00 P.M. and 7:00 A.M., in such manner as to create loud and disturbing noises, of such frequency or such volume as to annoy or disturb the quiet and comfort of any citizen, and particularly the creating of disturbing noises of such frequency and volume as to annoy or disturb the quiet, comfort, peace or repose of any person in any dwelling, hotel, boarding house or other type of residence.

Sec. 12-3. Authority of police officers.

For the purpose of enforcing the provisions of this chapter, it shall be lawful for any police officer of the city to enter any unoccupied property or place of amusement, to arrest any person violating the provisions of this chapter.

