

## 15-11 - Noise.\*

- (a) Any person who, subject to the provisions of this section, creates any unreasonably loud, disturbing and unnecessary noise within the limits of the city is guilty of a misdemeanor.
- (b) Any person making or causing to be made any noise of such character, intensity or duration as to be detrimental to the life or health of any individual or in disturbance of the public peace and welfare is guilty of a misdemeanor.
- (c) The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this section, provided, that this enumeration shall not be deemed to be exclusive:
  - (1) Blowing Horns or Signaling Devices. The sounding or blowing of any horn or signal device on any automobile, truck, bus, motorcycle or other vehicle not in motion, except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.
  - (2) Radios, Sound Reproduction Devices, and Musical Instruments. The playing of any radio, sound reproduction device or any musical instrument in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in any hospital, office, retail establishment, dwelling, hotel, or other type of residence, or of any persons in the vicinity.
  - (3) Yelling and Shouting on Streets. Yelling, shouting, hooting, whistling or singing on the public streets at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any hospital, office, retail establishment, dwelling, hotel, or other type of residence, or of any persons in the vicinity.
  - (4) Pets. The keeping of any animal, bird or fowl which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person in the vicinity.
  - (5) Use of Vehicles. The use of any automobile, truck, bus, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
  - (6) 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 as a warning of fire or danger or upon request of proper city authorities.
  - (7) Exhaust Discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicles or motorboat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - (8) Noises Near Schools, Hospitals and Churches. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof; provided that signs must be displayed in such streets indicating that the same is a school, institution of learning, church, court or hospital.
  - (9) Loading and Unloading Operations. The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
  - (10) Noises to Attract Attention. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
  - (11) Loudspeakers or Amplifiers on Vehicles. The use of mechanical loudspeakers or amplifiers on automobiles, trucks, busses, or other moving or standing vehicles for advertising or other purposes.
- (d) None of the terms or prohibitions of this section shall apply to or be enforced against:

- (1) Any vehicle of the city while engaged upon necessary public business.
  - (2) Excavations or repairs of bridges, streets or highways by or on behalf of the city or the state, at night, when the public welfare and convenience renders it impossible to perform such work during the day.
  - (3) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.
- (e) An action for the violation of this section 15-11 with respect to the acts set forth in subsection (c)(4) shall not be commenced unless at least two (2) unrelated complainants from separate residences and with independent knowledge of the acts have signed a complaint. No person shall be found guilty of a misdemeanor for violating the provisions of this section 15-11 with respect to the acts set forth in subsection (c)(4) unless such complainants have made themselves available to testify in any court proceedings related to the complaint. (Code 1971, § 11-1-33; Ord. 600, 9-18-95; Ord. No. 1384-809, § 1, 8-10-09)

**Cross reference—** Animal noise, § 3-24.