

ARTICLE III
Unnecessary Noise

§ 197-4. Standards for determination.

No person shall make, continue or cause or permit to be made, verbally or mechanically, any unnecessary noise. An "unnecessary noise" shall mean any excessive or unusually loud sound or any sound which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a person or which causes injury to animal life or damage to property or business. Standards to be considered in determining whether unnecessary noise exists include but are not limited to the following:

- A. The volume of the noise.
- B. The intensity of the noise.
- C. Whether the nature of the noise is usual or unusual.
- D. Whether the origin of the noise is natural or unnatural.
- E. The volume and intensity of the background noise, if any.
- F. The proximity of the noise to residential sleeping facilities.
- G. The nature and the zoning district of the area within which the noise emanates.
- H. The time of day or night the noise occurs.
- I. The time duration of the noise.
- J. Whether the sound source is temporary.
- K. Whether the noise is continuous or impulsive.
- L. The presence of discrete tones.

§ 197-5. Prohibited acts.

The following acts and the causing thereof are declared to be in violation of this chapter:

- A. Sound-reproduction devices.
 - (1) No person shall operate or use or cause to be operated a sound-reproduction device that produces unnecessary noise.
 - (2) No person shall operate or use or cause to be operated any sound-reproduction device for commercial or business advertising purposes or for the purpose of attracting attention to any performance, show or sale or display of merchandise, in connection with any commercial operation, in front or outside of any building, place or premises abutting on or adjacent to a public street, park or place or in or upon any vehicle operated, standing or being in or on any public street, park or place. Nothing in this subsection is intended to prohibit

incidental sounds emanating from sporting, entertainment or other public events.

- (3) No person shall operate or use any sound-reproduction device in any place or premises abutting or adjacent to any public street or public park in such a manner that the sound emanating is audible to other persons.
- B. Sound-signal devices. No person shall operate or cause to be operated any sound-signal device, including but not limited to any Klaxon, horn, whistle, bell, gong, drum or siren, so as to create unnecessary noise, except as required by the Vehicle and Traffic Law of the State of New York.
- C. Emergency-warning devices. No person shall operate or cause to be operated any emergency-warning device, except:
- (1) To give notice as a warning of any emergency.
 - (2) On an authorized vehicle when such vehicle is engaged in emergency operations.
 - (3) When such device is under test under reasonable conditions for a reasonable duration of time.
- D. Burglar alarms. No person shall operate or cause to be operated any audible burglar alarm or any motor vehicle burglar alarm unless such alarm shall be capable of automatically terminating operation within fifteen (15) minutes after such alarm is first activated in all residential zones and thirty (30) minutes in all commercial zones. Any member of the Police Department of the Town of Cortlandt shall have the authority to take such steps as may be necessary to disconnect such alarm at any time when such alarm is activated.
- E. Animals. No person shall keep, permit or maintain any animal under his/her control which causes unnecessary noise across a residential real property boundary so as to unreasonably disturb the comfort or repose of any person in the vicinity. Specifically, no dog shall be allowed to bark for a period in excess of fifteen (15) consecutive minutes when said barking is audible from beyond the property line of the owner's residence. The barking may be intermittent and not continuous.
- F. Shouting. No person shall shout, yell, call, hoot, whistle or sing on public streets or in public places between the hours of 10:00 p.m. and 7:00 a.m. daily in such a manner as to unreasonably annoy any person.
- G. Containers and construction materials. No person shall load, unload, handle, transport, open, close or destroy any containers or construction material or other materials in such a manner as to create unnecessary noise.
- H. Squealing tires. No person shall operate a vehicle in such a manner as to cause unnecessary noise by spinning or squealing the tires of such vehicle.
- I. Exhausts. No person shall cause or permit the discharge into the open air of exhaust of any device, including but not limited to any steam engine, diesel engine internal

combustion engine or turbine engine, so as to create unnecessary noise.

- J. Domestic power tools and equipment. No person shall operate or permit to be operated any power tool or equipment, including but not limited to saws, sanders, drills, grinders, lawn or garden tools, mowers, tractors, chain saws, leaf blowers or gatherers or similar devices or wood chippers of any kind, when used outdoors in a residentially zoned district during the hours of 10:00 p.m. to 8:00 a.m., so as to create unnecessary noise.
- K. Modification of noise-control devices. No person shall operate or permit to be operated any device that has been modified so as to cause the sound emitted to be greater than that emitted by such device as originally manufactured.