

CHAPTER 22**NOISE ORDINANCE**

22.01 UNLAWFUL TO MAKE EXCESSIVE NOISE. It shall be unlawful for any person to make, or cause to be made any excessive noise, which either unreasonably annoys, disturbs, or affects the comfort, repose, health, or peace of others.

22.02 UNLAWFUL ACTS. The following acts set forth in the following subdivisions are declared to be loud, disturbing, and excessive noises in violation of this Ordinance, but said enumeration shall not be deemed to be exclusive.

(1) HORNS, SIGNALLING DEVICES, ETC. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle, except as a danger warning.

(2) RADIOS, PHONOGRAPHS, ETC. The using, operating, or permitting to be played any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproduction of sound in such manner as to disturb the peace, quiet or comfort of the persons residing in the neighborhood at any time with louder volume than is reasonably necessary for convenient hearing of the person or persons who are in the room, vehicle, chamber, or area in which such machine or device is being operated.

(3) LOUD SPEAKERS, AMPLIFIERS FOR ADVERTISING. The using, operating, or permitting to be played any radio receiving set, musical instrument, phonograph or other machine or device and causing the same to be broadcast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(4) YELLING, SHOUTING, ETC. Yelling, shouting, hooting, whistling, or singing at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel, motel, or other place of residence or any persons in the vicinity.

(5) ANIMALS, BIRDS, ETC. 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.

(6) WHISTLES OR SIRENS. The blowing of a whistle or any siren or ringing of a bell whatsoever except to give notice of the time to begin or stop work, as a warning of fire or danger or the testing of such warning systems, or by public emergency vehicles.

(7) **EXHAUSTS**. The discharge into the open air of the exhaust of any vehicle except through a muffler or other device, which will effectively prevent loud or explosive noises therefrom.

(8) **DEFECT IN VEHICLE OR LOAD**. The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in such manner as to create loud and unnecessary grating, grinding, rattling, or other noise which shall disturb the comfort or repose of any persons in the vicinity.

(9) **SOUND TRUCKS FOR ADVERTISING PURPOSES**. The use of sound trucks or any other vehicle equipped with sound amplifying devices for the purposes of advertising any program, project, or meeting of any public agency, private business, religious organization, civic group, political party, or charitable organization.

(10) **LOADING, UNLOADING, OPENING BOXES**. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.

(11) **CONSTRUCTION OR REPAIRING OF BUILDINGS**. The erection (including excavating), demolition, alteration, or repair of any building between the hours of 10 p.m. and 6 a.m., where such work disturbs the peace, quiet and comfort of persons residing in the immediate vicinity unless such actions are necessary to protect the health and safety of the persons in the vicinity.

(12) **SCHOOLS, CHURCHES, HOSPITALS**. The creation of any excessive noise on any street or private property adjacent to any school, institution of learning, church, or hospital while the same are in use which unreasonably interferes with the use thereof.

(13) **HAWKERS, PEDDLERS**. The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

(14) **PILE DRIVERS, HAMMERS, CHAIN SAWS, POWER MOWERS, ETC.** The operation between the hours of 10 p.m. and 6 a.m. of any pile driver, power shovel, pneumatic hammer, derrick, power or electric hoist, chain saw, power mower or other equipment or appliance the use of which is attended by loud or unusual noise.

(15) **BLOWERS, FANS AND ENGINES**. The operation of any noise creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

22.03 EXCEPTIONS. The Common Council may, upon proper application, grant exceptions to the above for special events, celebrations, parades and similar activities and special circumstances. The Common Council may delegate this authority to the City Administrator.

22.04 PENALTY. A person who shall violate any provision of this ordinance shall upon conviction thereof forfeit not more than \$100.00 together with the cost of prosecution.

22.05 ENFORCEMENT. Violations of this ordinance shall be enforced by the City Police Department. Stipulation of guilt or no contest may be made within five days of the date of the citation of such violation.

22.06 SEVERABILITY. If any section, subsection, sentence, clause or phrase of the ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Common Council hereby declares that it would have passed this ordinance and section, subsection, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause and phrase be declared unconstitutional.

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