

§ 8.05.004. Environmental sound levels.

- (a) It shall be a violation of this article for any person to operate or permit to be operated any stationary source of sound which creates a unit percentile sound level (L1) greater than the sound pressure level (L90) as set forth in this article, or creates a tenth percentile sound level (L10) or a ninetieth percentile sound level (L90) which exceeds the limits set forth in this article for the land use receiving the sound when measured at the property boundary of the receiving land.
- (b) For the purpose of enforcement, a sound measurement period shall not be less than ten minutes nor more than 30 minutes.
- (c) Sound level limits (Other than Construction and Power Equipment): Please refer to Sections 8.05.006 (4) and (5) for allowed/prohibited hours.
 - (1) Limiting sound levels, 7:00 a.m. to 10:00 p.m.

Category	L90	L10
Residential	55 dBA	65 dBA
Commercial	62 dBA	72 dBA
Industrial	75 dBA	85 dBA

- (2) Limiting sound levels, 10:00 p.m. to 7:00 a.m.

Residential	50 dBA	60 dBA
Commercial	57 dBA	67 dBA
Industrial	75 dBA	85 dBA

- (d) When a noise source can be identified and its noise measured in more than one land use category, the limits of the most restrictive use shall apply at the boundary and within the most restrictive land use category.

§ 8.05.006. Noises prohibited.

The following sounds are hereby determined to be specific noises which can constitute a noise disturbance, and violations of this article are hereby defined. A noise does not have to exceed the specifications for environmental sound levels contained in section 8.05.004 in order to constitute a violation of this section.

- (1) Animals. Owning, keeping, possessing or harboring any animal or animals which, by frequent or habitual noise-making, either violates the sound levels of this article or unreasonably disturbs or interferes with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained. The provisions of this section shall apply to all public and private facilities, including any animal shelter or commercial kennel, which hold or treat animals.

- (2) Radios, television sets, musical instruments and similar devices. Operating or permitting to be operated any radio receiving set, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound in such a manner as to violate the sound levels of this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.
- (3) Exterior loudspeakers. Operating or permitting to be operated any loudspeaker or sound-amplifying equipment in a fixed position on public or private property, or in a movable position mounted upon any vehicle in or upon any street, alley, sidewalk, park, place, or public or private property, for the purpose of commercial advertising, giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in such a manner as to violate the sound levels as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.

- (4) Construction work. Operating or permitting to be operated any equipment used in commercial construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances thereto; ~~between the hours of 10:00 p.m. and 7:00 a.m. the following day, or in such a manner as to violate the sound levels as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.~~

- **Allowed Hours:** Monday through Friday from 7:00 a.m. to 7:00 p.m., and on Saturdays from 9:00 a.m. to 3:00 p.m.
- **Prohibited:** All day on Sundays.
- In no event may such construction work exceed the sound level limits for an industrial land use as set forth in this article, measured on the property boundary of the receiving land use, unless a permit of variance is first obtained.
- **Sound Levels:** Construction activity may not exceed industrial land use sound level limits as set forth in §8.05.004, measured at the property boundary of the receiving land use, unless a variance is obtained.

- (4)(5) Power equipment. Operating or permitting to be operated any power equipment in residential zones outdoors between the hours of ~~10~~7:00 p.m. and 7:00 a.m. the following day, or in such a manner as to violate the sound levels as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained. Power equipment rated five horsepower or less shall not exceed a sound level of 74 dBA at a distance of 50 feet. Power equipment rated more than five horsepower shall not exceed a sound level of 82 dBA at a distance of 50 feet.

- (5)(6) Enclosed places of public entertainment. Operating or permitting to be operated in any enclosed place of public entertainment any loudspeaker or other source of sound which produces, at a point that is normally occupied by the customer, maximum sound pressure levels of 100 dBA as read on a sound level meter, unless a conspicuous and legible sign is posted near each public entrance stating: "Warning Sound Levels Within May Cause Permanent Hearing Impairment." This provision shall not be construed to allow the operation of any loudspeaker or other source of sound in such a manner as to violate the

sound levels as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.

~~(6)~~(7) Powered model mechanical devices. The flying of model aircraft powered by internal combustion engines, whether tethered or not, or the firing or operating of model rocket

vehicles or other similar noise-producing devices, in a residential area between the hours of 10:00 p.m. and 7:00 a.m. the following day, or in such a manner as to violate the sound levels as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.

~~(7)~~(8) Refuse collection. The collection of garbage, waste or refuse between the hours of 10:00 p.m. and 7:00 a.m. the following day in any area zoned residential or within 300 feet of an area zoned residential, or in such a manner as to violate the sound level as listed in this article or to unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities, unless a permit of variance is first obtained.

~~(8)~~(9) Emergency signaling devices. The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device for more than five minutes during any consecutive 60-minute period or so as to violate the sound levels as listed in this article except for those exemptions outlined in this article.

~~(9)~~(10) Loading and unloading merchandise. The loading and unloading of merchandise or cargo between the hours of 10:00 p.m. and 7:00 a.m. of any motor vehicle where such loading or unloading area is within a distance of 200 feet from the property line of any residential dwelling.