

CHAPTER 95: NOISE CONTROL

Section

95.01 Noise control generally

95.02 Exceptions

95.99 Penalty

Cross-reference:

Vehicular noise, see §§ 91.01 et seq.

§ 95.01 NOISE CONTROL GENERALLY.

Each of the following acts is declared to constitute a municipal civil infraction and be prohibited, but this enumeration shall not be deemed to be exclusive:

(A) *Animal and bird noises.* The keeping of any animal or bird, which, by causing frequent or long-continued noise, shall disturb the comfort or repose of any person.

(B) *Construction noises.* The erection (including excavating thereof), demolition, of any building, and the excavation of streets and highways, on Sunday, and other days except between 7:00 a.m. and 6:00 p.m., unless a permit is first obtained from the city.

(C) *Sound amplifiers.* Use of any loudspeaker, amplifier or other instrument or device, whether stationary or mounted on a vehicle for any purpose, except by speakers in the course of a public address which in noncommercial in character, shall be subject to the following restrictions:

(1) A permit from the city must first be obtained.

(2) Sound amplification permitted shall be limited to music or human speeches.

(3) The permitted hours shall be limited to between the hours of 11:30 a.m. and 6:30 p.m., each day excepting on Sundays and legal holidays during which no such use, other than the above excepted, shall be permitted.

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(4) Sound amplifying equipment mounted on vehicles shall not be operated unless the vehicle upon which such equipment is mounted is operated at a speed of at least ten miles per hour except when the vehicle is stopped or impeded by traffic.

(5) Sound amplification equipment shall not be used within 100 yards of schools or churches.

(6) The volume of sound shall be controlled so that it will not be audible for a distance in excess of 100 feet from the sound amplifying equipment and so that it is not unreasonably loud, raucous, jarring, disturbing, or otherwise a nuisance to persons within the area of audibility.

(7) No sound amplifying equipment shall be operated with an excess of 15 watts of power in the last stage of amplification.

(D) *Engine exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary, internal combustion engine, or motor vehicle except through a muffler or device which effectively prevents loud or explosive noises there from.

(E) *Handling merchandise.* The creation of a loud and excessive noise in connection with a loading or unloading any vehicle or the opening or destruction of bales, boxes, crates and containers.

(F) *Blowers.* The discharges into open air from any noise-creating blower or power fan unless the noise from such blower or fan is muffled sufficiently.

(G) *Hawking.* The hawking of goods or merchandise, of any type, in a loud and boisterous manner, except with the city's permission.

(H) *Radio and musical instruments.* The playing of any radio, television set, phonograph, or any musical instrument in such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, place of worship school, dwelling unit, or other type of residence, or of any person in the vicinity.

(I) *Shouting and whistling.* Yelling, shouting, hooting, whistling, or singing or making of any other loud noise on the public streets between the hours of 11:00 p.m. and 7:00 a.m., or the making of any such noise at any time as to disturb the quiet, comfort or repose of persons in any office, place of worship, school, dwelling unit, or other type or residence, or of any person in the vicinity.

(J) *Whistle or siren.* The blowing of any whistle or siren, excepting the duly authorized sounding of a whistle or siren to give notice of the time to begin or stop work, for which a permit from the city setting forth reasonable controls has been issued, or as a warning of fire or danger.

(K) *Drum*. The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention to any performance, show, sale or display of merchandise which, by the creation of such noise emanating there from would be unreasonably disturbing and annoying to other persons in the vicinity.

(Ord. 300-06, passed 12-18-2006)

§ 95.02 EXCEPTIONS.

None of the terms or prohibitions of § 95.01 shall apply to or be enforced against:

(A) *Emergency vehicles*. Any police or fire vehicle or any ambulance, while engaged upon emergency business.

(B) *Highway and construction*. Excavations or repairs of bridges, streets, or highways by or on behalf of the City of Hartford or State of Michigan.

(C) *Organized auto racing at the Hartford Speedway Racetrack*.
(Ord. 300-06, passed 12-18-2006)

§ 95.99 PENALTY.

Violation of any provision of this chapter shall constitute a municipal civil infraction. Upon an admission or determination of responsibilities for such municipal infraction, the violator shall be subject to a civil infraction fine and costs in the amounts specified in the Official Municipal Civil Infraction Fines and Costs Schedule already adopted by Hartford City Commission.

(Ord. 300-06, passed 12-18-2006)

