

Sec. 13-11. Excessive, unnecessary, etc., noise.

(a) It shall be unlawful and a class 1 misdemeanor for any person:

(1) To operate, install, have, maintain or permit, on the outside of any store, shop, business establishment, warehouse or other commercial building in the city, any loudspeaker or other sound-producing or reproducing device capable of emitting music, noise, sounds, tones or the human voice in such manner that the same can be heard on any public sidewalk or public street, except for outside intercoms, paging speakers, bells or buzzers signaling the ringing of a telephone, fire, smoke or burglar alarms, or a whistle, bell or buzzer signaling the time to begin or stop work or school, which are only used intermittently for the transmission of the human voice for announcing, summoning or paging an individual person or for the signaling of the ringing of a telephone, the danger of a fire or a burglary or the beginning or stopping of work or school.

(2) To use, operate or play, in the city, any radio, television, record or tape player, phonograph, musical instrument, loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound, which can be heard inside the confines of an individual dwelling unit, house or apartment of another person. Upon complaint being made to any police officer that the provisions of this section are being violated, such police officer may, after investigation, give notice of such complaint to the owner or person in charge of such residence and order the discontinuance of the disturbance. Any person failing to comply with such order shall be guilty of a class 1 misdemeanor.

(3) To operate or use, or permit the operation or use of, power lawn mowers, chain saws, power hedge clippers, garden tractors or tillers, leaf mulchers or blowers, snowblowers or like outdoor power equipment in any residential district in the city between the hours of 10:00 p.m. and 7:00 a.m. following.

(4) To yell, shout, holler, hoot, whistle or scream between the hours of 10:00 p.m. and 7:00 a.m. following, on any public street, alley, sidewalk or parking lot or on any privately-owned street, alley, sidewalk or parking lot open to the public, except to summon aid in an emergency.

(5) To permit or allow any dog or other animal or any fowl to bark, screech, scream or create noise in any residential district in the city between the hours of 10:00 p.m. and 7:00 a.m. following.*

***Cross references:** Further provisions as to barking or howling dogs, § 5-39.

(6) To emit, from any loudspeaker or sound amplification equipment located in or on any open or closed vehicle, trailer, airplane, balloon, or boat any advertisement, commercial message, music, speech, or noise which can be heard by the unaided human ear at a distance greater than thirty (30) feet away from such vehicle, trailer, airplane, balloon or boat.*

***Cross references:** Advertising generally, Ch. 3.

(b) Nothing in this section shall apply to the use of horns, sirens or whistles by police, fire, ambulance or rescue squad personnel, to bells, chimes, or music sounded or played by churches or synagogues, to sounds made by fairs, carnivals, circuses, expositions, festivals, sporting events, concerts, or parades, provided such fairs, carnivals, circuses, expositions, festivals, sporting events, concerts, or parades are held outdoors between 7:00 a.m. and 11:00 p.m. in a public park or playground, on school grounds, or in a district zoned for such activity, and have all necessary permits and licenses from the city, to the use of two-way radio communication equipment or cellular or portable telephone equipment, or to the use of outside loudspeakers during the daylight hours by licensed auctioneers actually engaged in the sale of property.

(Code 1971, § 11-27; Ord. of 4-13-82; Ord. No. 92-3, 4-28-92; Ord. No. 93-15, 9-28-93; Ord. No. 94-8, 8-9-94; Ord. No. 96-4, 4-9-96; Ord. No. 97-15, 8-26-97)

Charter references: Authority of city to prevent unnecessary noise, Ch. 1, § 2(20).

Cross references: Penalty for class 1 misdemeanor, § 1-11; use of noise-making devices, by operators of vehicles used for sale of ice cream or related products, § 12-133; noise by solicitors, § 17-30(4).