

CHAPTER 39

NOISE CONTROL

39.01 Purpose

39.05 Portable Noise Limit

39.02 Definitions

39.06 Exceptions

39.03 Motor Vehicle Noise Limit

39.07 Penalties for Offenses Pertaining to Noise Control

39.04 Property Owner Noise Limit

39.01 PURPOSE. It is the purpose of this chapter to prevent excessive sound which is a serious hazard to the public health and welfare and to the quality of life in the City of Bloomfield.

39.02 DEFINITIONS. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Plainly audible means any sound which clearly can be heard by a person's unimpaired and unaided auditory senses, however, words or phrases need not be discernible and said sound shall include bass reverberation.

Residential means any property on which is located a building or structure used wholly or partially for living or sleeping purposes. This definition shall not include park custodial residences or school or college dormitories.

Sound amplification system means any radio, radio receiving set, television, phonograph, stereo, tape player, cassette player, compact disc player, boom box, loudspeaker, juke box, musical instrument, sound amplifier, or any other device which produces, reproduces, or amplifies sound. The term "sound amplification system" does not include a motor vehicle horn, backup warning device, theft alarm, or any other sound authorized or required by this Code or the state code.

39.03 MOTOR VEHICLE NOISE LIMIT.

- (a) No person operating, occupying, or who parking a motor vehicle on any street, highway, alley, parking lot, or driveway, on either public or private property, shall operate or permit the operation of any sound amplification system from within or on such motor vehicle so that the sound is plainly audible at a distance of 50 or more feet from the vehicle or, if the motor vehicle is on private property, beyond the property line.
- (b) No person shall operate the engine, or auxiliary engine, of a motor vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or more for a period longer than 20 minutes while such vehicle is standing and located within 150 feet of property used for residential purposes. This subsection shall not apply to delivery or pickup vehicles that require the operation of the engine to unload or load their vending loads.

39.04 PROPERTY OWNER NOISE LIMIT. No person owning, renting, leasing, occupying, using, or having charge of any dwelling, tavern, building, structure, or other premises, or any part thereof, shall operate or permit the operation of any sound amplification system so that the sound is plainly audible 50 feet beyond the property line.

39.05 PORTABLE NOISE LIMIT.

- (a) No person shall operate or permit operation of a self-contained, portable, hand-held sound amplification system, on public or private property, in such a manner so that the sound is plainly audible at a distance of 50 or more feet from the system or, if the system is on private property, beyond the property line.
- (b) No person shall utilize a generator to power a camper, residential vehicle (RV), trailer or similar vehicle designed wholly or partially for living or sleeping purposes within 150 feet of property used for residential purposes. This subsection shall not apply to park custodial residences or in the event of a power outage.

39.06 EXCEPTIONS TO NOISE LIMIT. The provisions of this section shall not apply to emergency, public safety, city, or utility motor vehicles; for sound emitted unavoidably during job-related operation; for sound emitted from church bells and chimes, public sporting events, or authorized school activities; for an activity for which a permit has been granted by the city; or, for an activity allowed by this Code or the state code.

39.07 PENALTIES FOR OFFENSES PERTAINING TO NOISE CONTROL.

- (a) A violation of any provision of Chapter 39, Noise Control, shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.
- (b) Alternatively, a violation of any provision of Chapter 39, Noise Control, can be charged by a peace officer of the City as a simple misdemeanor