

ORDINANCE NO. 2.15

NOISE ORDINANCE

AN ORDINANCE TO PREVENT EXCESSIVE SOUND WHICH MAY JEAPARDIZE THE HEALTH AND WELFARE OF THE CITIZENS OF THIS COMMUNITY OR DEGRADE THE QUALITY OF LIFE AND TO ESTABLISH APPROPRIATE STANDARDS FOR REGULATION OF SOUND PRODUCING ACTIVITIES.

THE CITY OF CRYSTAL FALLS ORDAINS:

Section 5-1401 General Regulation

No person or business establishment shall unreasonably make, continue or cause to be made or continued any noise disturbance as defined in this ordinance. Non-commercial public speaking and public assembly activities conducted on any private space or public right-of-way shall be exempt from the operation of this ordinance.

Section 5-1402 Maximum Permissible Sound Levels

No person or business establishment shall create, operate or cause to be operated on private property any source of sound in such a manner as to create a sound level as measured on the property of another the limits set forth in Table I. The exceeding of the limits as set forth in Table I when measured at or within the property of another shall be deemed prima facie to be a noise disturbance.

Receiving Land Use Category	TABLE I	
	Time	A-Weighted Sound Level Limit
Residential District	10:00 p.m. – 7:00 a.m.	70dBA
Residential District	7:00 a.m. – 10:00 p.m.	75dBA
Commercial District	10:00 p.m.- 7:00 a.m.	72 dBA
Commercial District	7:00 a.m. – 10:00 p.m.	77 dBA
Light Industry	10:00 p.m.- 7:00 a.m.	76 dBA
Light Industry	7:00 a.m. – 10:00 p.m.	81 dBA

The land use categories shall be defined in the zoning ordinances for the City of Crystal Falls.

Section 5-1403. Motor Vehicle Noise Limits

A motor vehicle shall not be operated or driven on a highway or street if the motor vehicle produces total noise exceeding one of the following limits at a distance of fifty (50) feet except as provided in subdivision D:

- A. A motor vehicle with a gross weight or gross vehicle weight rating of 8,500 pounds or more, combination vehicle with gross vehicle weight ratings of 8,500 pounds or more:**
 - (1) 90 dB(A) if the maximum lawful speed on the highway or street is greater than 35 miles per hour;**
 - (2) 86 dB(A) if the maximum lawful speed on the highway or street is not more than 35 miles per hour; and**
 - (3) 88 dB(A) under stationary run-up test.**

- B. A motorcycle or moped:**
 - (1) 86 dB(A) if the maximum lawful speed on the highway or street is greater than 35 miles per hour;**
 - (2) 82 dB(A) if the maximum lawful speed on the highway or street is not more than 35 miles per hour; and**
 - (3) 95 dB(A) under stationary run-up test at 75 inches.**

- C. A motor vehicle or combination of vehicles towed by a motor vehicle not covered in paragraph A or B.**
 - (1) 82 dB(A) if the maximum lawful speed on the highway or street is greater than 35 miles per hour;**
 - (2) 76 dB(A) if the maximum lawful speed on the highway or street is not greater than 35 miles per hour;**
 - (3) 95 dB(A) under stationary run-up test 20 inches from the end of the tail pipe.**

- D. This ordinance shall not apply to police, fire, ambulance or other emergency vehicles while in public use.**

- E. Motor Vehicles – Limitations on audible range of electronically amplified sound systems.**

Notwithstanding any other provisions of the Code of Ordinances for the City of Crystal Falls, no person operating or in control of a parked or moving vehicle (including motorcycles and mopeds), shall operate, or permit the operation of an electronically amplified sound system in or on the

vehicle so as to produce sound that is clearly audible more than 50' from the vehicle between the hours of 7:00 a.m. and 11:00 p.m. or clearly audible at a distance of 25' from the vehicle from the hours of 11:00 p.m. and 7:00 a.m.

Section 5-1404. Definitions and Terminology

All terminology used in this ordinance, not defined below, shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body. The following definitions shall apply to this ordinance:

- A. "A Weighted Sound Level" – the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.
- B. "Decibel (dB)" – a unit of measuring the volume of sound.
- C. "Noise Disturbance" – any sound which (a) endangers or injures the safety of health of humans or animals, or (b) exceeds the maximum permissible sound levels of this ordinance.
- D. "Sound Level Meter" – an instrument which includes a microphone amplifier, RMS detector, integrator or time average, output meter, and weighting networks used to measure sound pressure levels.

**Section 5-1405. Measurement Standards and Test Instrumentation:
Sound Level Meter**

- A. A sound level meter shall be used which has the capacity to give measurement of sound using the "A" weighted network and measurements recorded in terms of dB(A). The sound level meter shall meet or exceed the requirements for a Type 2 sound level meter as specified in American National Standard Specifications for Sound Level Meters (ANSI S 1.1 – 1971) approved April 27,1971, issued by the American National Standards Institute.
- B. Test instrumentation and procedures used for implementation and enforcement of this Article shall substantially conform with applicable standards and recommended practices established by the Society of Automotive Engineers and the American National Standards Institute for the measurement of the motor vehicle sound levels. The rules may provide for measurement at other than the distance specified herein, provided that the decibel limits applied at the other distances are adjusted accordingly.

Section 5-1406. Penalties

- A. Any person violating this ordinance shall be deemed to have committed a civil infraction, subject to the payment of civil fines of \$50.00 plus costs, for the first violation.**
- B. Any repeat offense shall be subject to increased fines, as follows:**
 - 1. First repeated offense shall be no less than \$150.00 plus costs.**
 - 2. A fine for any second repeated offense or any subsequent repeated offense shall be no less than \$250.00 plus costs.”**

A violation of Section 5-1403, A – D, shall be a civil infraction, punishable as provided by law. Further, no fine shall be imposed for any violation based upon defective vehicular equipment upon receipt of certification by a law enforcement agency that repair was made within fifteen (15) days of the date of issuance of a citation.

ORIGINAL ADOPTION DATE: 05/08/95