

Chapter 8 Nuisance and Construction noise revisions

Article 8-10 NUISANCE NOISE

Section 8-10-1	General Prohibitions
Section 8-10-2	Declaration of Certain Acts Constituting Disturbing, Excessive, or Offensive Noises
Section 8-10-3	Exemptions
Section 8-10-4	Penalty
Section 8-10-1	GENERAL PROHIBITIONS
Section 8-10-2	DECLARATION OF CERTAIN ACTS CONSTITUTING DISTURBING, EXCESSIVE, OR OFFENSIVE NOISES

- A. Excessive Animal Noise
- B. Yard/landscape Maintenance Equipment
- C. Burglar Alarms

D. Construction Related Activities

Section 8-10-3	Exemptions
Section 8-10-4	Penalty

Section 8-10-2 DECLARATION OF CERTAIN ACTS CONSTITUTING DISTURBING, EXCESSIVE, OR OFFENSIVE NOISES

- B. Yard/landscape Maintenance Equipment
 - 1. Definitions.
 - a. **"Decibel"** shall mean a logarithmic unit of measurement which indicates the ratio between two quantities commonly referred to as electric or sound energy levels, or pressure levels. One decibel on the A-weighted scale is abbreviated **"dB (A)."**
 - b. **"Heavy equipment"** means mechanical equipment that typically generates significant and offensive noise, such as, but not limited to, a loader or backhoe.
 - c. **"Summer"** shall mean those months from May through September, inclusive.
 - d. **"Yard/landscape maintenance device"** as used in this section, shall mean any portable, hand-held or propelled, ridden, carried, or pushed device, which is capable of and intended for landscape and yard maintenance purposes. This includes, but is not limited to, leaf blowers, chain saws, lawn mowers, edgers, or weed or string cutters.

- 2. Violations.

Except for those properties where a special use permit provides for a more specific set of noise restrictions, it shall be unlawful for any person to operate, or cause to be operated, yard/landscape maintenance devices except between 7 AM and 5 PM on Monday through Friday and between 9 AM and 5 PM on Saturdays and Sundays and on legal holidays (as defined in Section 10-7-2 (10) of this Code). Summer hours may start one (1) hour earlier.

D. Construction and Related Activities (*this section was moved from Section 10-7-5*)

1. Except for those properties where a special use permit provides for a more specific set of noise restrictions, it shall be unlawful for any person to operate or permit to be operated any **heavy equipment** in any construction, demolition, land clearing, excavation or similar outside **activity, except between 7 AM and 5 PM** on Monday through Friday. **Operation of heavy equipment is unlawful at all times on Saturdays, Sundays and legal holidays (as defined in Section 10-7-2 (10) of this Code). Summer hours of operation may start one (1) hour earlier. The Town Manager, or his designee, may grant exceptions upon written request.**

2. It shall be unlawful for any person to deliver or cause to be delivered construction equipment or materials to a construction site **except between 7 AM and 5 PM** Monday through Saturday. **Delivery of construction equipment or materials to a construction site is unlawful** on Sundays and legal holidays (as defined in Section 10-7-2 (10) of this Code), except that sprayed termite prevention material may be applied **at any time. Summer delivery hours may start one (1) hour earlier. The Town Manager, or his designee, may grant exceptions upon written request.**

3. It shall be unlawful for any person to operate or permit to be operated any device or **equipment not identified in Section 8-10-2 D.1** in any building, construction, demolition, land clearing, excavation or similar outside construction **activity, alteration, or repair work** on any buildings, structures or projects, **except between 7 AM and 5 PM** Monday through Friday, **and between 9 AM and 5 PM** on **Saturdays, Sundays and legal holidays; (as defined in Section 10-7-2 (10) of this Code).** The noise level created **on Sundays shall not exceed 75 dB(A)** measured at the nearest property line. **Summer hours may start one (1) hour earlier. The Town Manager, or his designee, may grant exceptions upon written request.**