

Sec. 22-3. Noises prohibited.

- (a) It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the town. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

- (b) The following acts, among others, are declared to be loud, disturbing and unnecessary noises, but such enumeration shall not be deemed to be exclusive:
 - (1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

 - (2) The use of any gong or siren upon any vehicle other than police, fire or other emergency vehicle.

 - (3) The use or operation of any piano, manual or automatic, phonograph, radio, loudspeaker or any other instrument or sound amplifying devices so loudly as to disturb persons in the vicinity thereof, or in such manner as renders the same a public nuisance; provided, that upon application to the council, permits may be granted to responsible organizations to produce programs in music, speeches or general entertainment.

 - (4) The keeping of any animal which, by causing frequent or long continuous noise, shall disturb the comfort and repose of any person in the vicinity.

 - (5) The use of any automobile, motorcycle or other vehicle in such manner as to create loud or unnecessary grating, grinding, rattling or other noise, or in such manner as to cause squealing or screeching of tires, or in such manner as to cause the tires to propel rocks, gravel or sand.

 - (6) 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 other device which will effectively prevent loud or explosive noises therefrom.

- (7) The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced.
- (8) The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (9) The sounding of any bell or gong attached to any building or premises (except for emergency use), which disturbs the quiet or repose of persons in the vicinity thereof; except, that upon application to the council, permits may be granted to responsible persons or organizations for the use of a bell or gong.
- (10) The shouting and crying of peddlers, barkers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.
- (11) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, sale or display of merchandise.
- (12) The use of any mechanical loudspeaker or amplifier on trucks or other moving vehicles for advertising purposes or other purposes, except where specific permit is received from the town council.
- (13) The conducting, operating or maintaining of any garage or filling station or other business in any residential district so as to cause loud or offensive noises to be emitted therefrom between the hours of 11:00 pm and 7:00 am.
- (14) The creating of any unusually loud or disturbing noise, including, but not limited to, loud and boisterous talking or yelling by an individual or by groups of persons on public streets, sidewalks, public or private parking lots or vehicular areas between the hours of 10:00 pm and 7:00 am, which noises tend to disturb the rest and tranquility of persons living or residing in the nearby area.
- (15) The erection (including excavation), demolition, alteration or repair of any building other than between the hours of 7:00 am and 8:00 pm on weekdays and Saturdays, except in case of urgent necessity in the interest of public

health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or excavation of streets and highways within the hours of 8:00 pm and 7:00 am, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 8:00 pm and 7:00 am upon application being made at the time the permit for the work is awarded or during the progress of the work.

(16) The operation between the hours of 8:00 pm and 7:00 am of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, use of which is attended by a loud or unusual noise.

(c) Noises and activity associated with the maintenance dredging of the town owned and/or maintained canals or waterways at the town's direction shall not be considered to be unreasonably loud or otherwise considered to be a public nuisance so long as such noises and activities occur within time and day parameters set forth by resolution of the town council. Upon application of the contractor performing such maintenance dredging to the town's code enforcement administrator showing the immediate need for extended working hours and/or days to perform maintenance dredging operations in compliance with the requirements of state or federal agencies, the code enforcement administrator may issue a written permit to the contractor setting such extended days and times as the administrator feels appropriate. Such permit shall be in effect until the next regularly scheduled meeting of the town council and shall remain in effect thereafter should town council not take any action to reduce the extended days and times.