

**NOISE CONTROL
ORDINANCE NO. 429
ARTICLE 3**

9.11. SPECIFIC OFFENSES

Radio, TV, Boom-box and Vehicular Radios—The playing of any radio, television set, phonograph, CD player, boom-box, or any musical instrument, hand-carried, stationary, within an automobile or other vehicle, in such a manner so as to annoy or disturb the quiet comfort or repose of persons within 50 feet of the device shall be prohibited.

The City Commission finds that excessive noise and excessive vibration from such devices degrades the environment, peace and dignity of the City residents and is harmful and detrimental to the health, welfare and safety of its inhabitants. The standard which may be considered in determining whether a violation or the provisions of this section exists may include, but not be limited to, the following:

- A The level of the noise;
- B Whether the nature of the noise is usual or unusual;
- C Whether the origin of the noise is natural or unnatural;
- D The level and intensity of the background noise, if any;
- E The proximity of the noise to residential areas or to persons;
- F The nature and zoning of the area within which the noise emanates, i.e., residential, commercial, or industrial;
- G The density of the inhabitation of the area within which the noise emanates;
- H The time of day and/or night the noise occurs;
- I The duration of the noise;
- J Whether the noise is recurrent, intermittent, or constant;
- K Whether the noise contains the discharge or escape of sounds or vibrations which cause discomfort to others within 50 feet of the source.

The effective control and elimination of excessive noise and excessive vibration is essential to the furtherance of the health and welfare of the city's inhabitants and to the conduct and normal pursuit of life, recreation, commerce and industrial activity.