

A NOISE CONTROL ORDINANCE FOR WASHINGTON COUNTY

A county may by ordinance regulate, restrict, or prohibit the production or emission of loud noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten the citizens.

For state law as to authority of county to regulate, restrict or prohibit loud noises see G.S. 153A-133.

SECTION 1. DEFINITIONS

- (1) Construction.
On-site fabrication, installation, alteration, erection, demolition or removal of any structure, facility or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting and landscaping.
- (2) Emergency Work.
Work made necessary to restore property to a safe condition, work required to protect, provide or prevent persons or private property from danger or harm or potential danger, or work by private or public utilities when restoring utility service.
- (3) Person.
Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision or agency thereof or any legal successor, representative, agent or agency of the foregoing.
- (4) Residential Area.
Any area, subdivision, street, or road which upon exists at least 20 homes per mile.
- (5) Sound Magnifying Device.
Any device or machine for the magnification of a human voice, music or any other sound, "sound-magnifying device" shall not include emergency warning devices on police, fire, ambulance or other emergency vehicles, nor shall it include horns or steam whistles which are used for purposes authorized by Section 2.
- (6) Unnecessary Noise.
Any excessive or unusually loud sound or any sound which disturbs the peace and quiet of any neighborhood or which does annoy, disturb, injure or endanger the

comfort, repose, health, peace or safety of any person or causes damage to property or business.

SECTION 2. PROHIBITED NOISES

- (1) The creation of any unreasonably loud, disturbing and unnecessary noise in Washington County is prohibited. Noise of such character, intensity and duration as to be detrimental to the health, safety, or welfare of any individual is also prohibited.
- (2) For the purposes of the Washington County Noise Ordinance, a loud, disturbing, and unnecessary noise includes, but is not limited to:
 1. The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound, or the sounding of such device for an unnecessary and unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire, or other emergency vehicle.
 - (2) The playing of any radio, phonograph, television, loudspeaker, amplifier or musical instrument in such manner or with such volume as to annoy or disturb the quiet, comfort, or repose of any person in any dwelling, hotel, or other type of residence.
 - (3) The playing of any vehicle mounted equipment in such a manner that it may disturb or distract drivers of other vehicles or disturb the property owners along the thoroughfare.
 - (4) The keeping of any animal or bird which, by causing frequent or long-continued noise, shall disturb the comfort and repose of any person in the vicinity.
 - (5) The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise.
 - (6) The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.
 - (7) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or motor boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
 - (8) The use of any mechanical or electronic device unless the noise created thereby is effectively muffled and reduced.

- (9) The erection (including excavation), demolition, alteration, or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays except in the case of urgent necessity in the interest of public safety, and then only with a permit from the Building Inspector, which permit may be renewed for a period of three days or less while the emergency continues.
- (10) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while same is in session, or within 150 feet of any hospital, which unreasonably interferes with the working of such institution; provided, that conspicuous signs are displayed in such street indicating that the same is a school, court, or hospital street.
- (11) The creation of any excessive noise on Sundays on any street adjacent to any church; provided, that conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street.
- (12) The creation of loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers.
- (13) The sounding of any bell or gong attached to any building or premises, which disturbs the quiet or repose of persons in the vicinity thereof.
- (14) The sounding and crying of peddlers, barkers, hawkers, and vendors which disturb the quiet and peace of the neighborhood.
- (15) 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, or sale or display of merchandise.
- (16) The use of any loudspeakers or amplifiers on trucks or other moving vehicles for advertising or other purposes except where specific permit is received from the chief of police of the town and then only under the terms and conditions set forth in such permit.
- (17) The conducting, operating, or maintaining of any garage or filling station in any residential district so as to cause loud or offensive noises to be emitted therefrom between the hours of 11:00 p.m. and 8:00 a.m.
- (18) The firing or discharging of a gun, squibs, fire crackers, gunpowder, or other explosive or combustible substance in the streets or elsewhere for the purpose of making a noise or causing a disturbance.

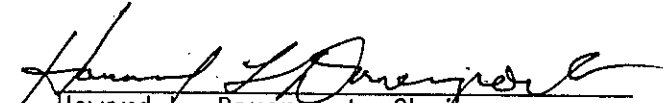
SECTION 3. EXCEPTIONS


- (1) Emergency warning devices or safety signals;
- (2) Lawn care equipment and agricultural equipment used during the daytime hours;
- (3) Equipment being used for construction, provided that all equipment is operated with all standard equipment, manufacturer's mufflers and noise-reducing equipment in use in proper operating condition.
- (4) Parades, fairs, circuses, other similar entertainment events, sanctioned sporting events, sporting activities taking place in areas set aside for such activities, or any activities normally associated with any of the above;
- (5) Bells, chimes and similar devices, such as those on tower clocks, or steeples, which operate during daytime hours for a duration of no longer than ⁽¹⁵⁾ minutes in any given period;
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- (6) Emergency work;
- (7) Sixty-cycle electric transformers; or
- (8) All usual and ordinary noises associated with agricultural enterprises including those made at night.

SECTION 4. PUNISHMENT

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, may be fined no less than \$25.00 or no more than \$50.00 or be imprisoned no more than thirty (30) days, or be both fined and imprisoned. Each violation of this Ordinance that is committed or permitted to continue shall constitute a separate offense.

Adopted this the 5th day of June 2000.


Howard L. Davenport, Chairman


Lois C. Askew, CMC
Clerk to the Board