

ARTICLE IV

Title 32

AN ORDINANCE: MAKING, CREATING OR PERMITTING OF UNREASONABLY LOUD, DISTURBING, OR UNNECESSARY NOISE PROHIBITED

Whereas, the Town Commissioners find and determine that the people of the Town of Felton are entitled to and should be insured an environment free from noise which unnecessarily degrades the quality of life and disturbs the common tranquility; that the levels of noise often reach such a degree as to endanger the health, safety, and welfare, jeopardize the value of property, and erode the integrity of the local environment. Be It Therefore Enacted by the Commissioners of the Town of Felton:

1. Subject to the provisions of this ordinance:

a) the making, creation or permitting of any unreasonably loud, disturbing and unnecessary noise within the corporate limits of the Town is hereby prohibited.

b) the making, creating or permitting of any noise of such character, intensity or duration as to be detrimental to the life, health, or welfare of any individual or which either disturbs, injures or endangers the comfort, repose, peace or safety of any individual is hereby prohibited.

2. The following acts, among others are declared to be unreasonably loud, disturbing and unnecessary noises in violation of this section but said enumeration shall not be deemed to be exclusive, namely:

a) Blowing Horns. 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 any unnecessary and unreasonable period of time.

b) Radios, phonographs, tape recorders, etc. The playing of any radio, phonograph, tape recorder or any musical instrument in such manner or with such volume, particularly during hours between 11:00 p.m. and 7:00 a.m. as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel, or other type of residence or between the hours of 9:00 a.m. and 6:00 p.m. as to annoy or disturb the peace and quiet of pedestrians on the public streets and sidewalks of the Town.

c) Pets. The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any persons in the vicinity.

d) Use of vehicle. The use of any automobile, truck, motorcycle, motorbike, moped, motorscooter, "dirt-bike", or other self-propelled vehicle, whether licensed and registered to operate on the public highways of this state or not, so designed, loaded, out of repair, or operated in such manner as to create unreasonably loud and unnecessary grating, grinding, rattling, or other noise.

e) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work as a warning of danger.

f) Loudspeakers or amplifiers. The use of mechanical loudspeakers or amplifiers whether stationary or mounted on a vehicle for advertising or other purposes. Provided that in the

exercise of free speech, loudspeakers or amplifiers may be used for non-commercial purposes under the following conditions:

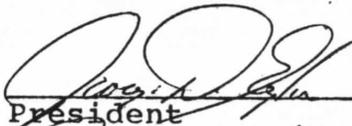
(i) It shall be unlawful to speak into a loudspeaker or amplifier within the corporate limits of the Town, between the hours of 10:00 p.m. and 7:00 a.m.

(ii) It shall be unlawful for any person to speak into a loudspeaker or amplifier within the corporate limits of the city, when such loudspeaker or amplifier is so adjusted that the voice of the speaker is amplified to the extent that it is audible at a distance in excess of 150 feet from the person speaking.

3. Penalty. Any person, firm, association, partnership, corporation, or any group of individuals acting singly or in concert, violating this ordinance shall be guilty of a misdemeanor and shall forfeit and pay a fine of not less than \$10 nor more than \$25.00 and costs of prosecution, for the first offense, and for the second offense thereof be fined not less than \$25 nor more than \$100 and costs of prosecution.

EFFECTIVE DATE: 23 MAY 1986

This is a true and correct copy of the ordinance duly adopted by the Commissioners on 13 MAY 1986

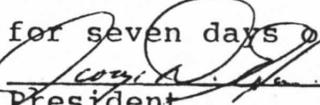
  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

Date Adopted: 13 MAY 1986

Date Effective: 23 MAY 1986

Posted at the Felton Town Hall for seven days on 15 MAY 1986

  
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President