

ORDINANCE 24-06

NOISE REGULATIONS

96.50 NOISE WHICH DISTURBS PUBLIC PEACE PROHIBITED.

- 1) Declaration of policy: The City of Alma, finding that excessive levels of sound and vibration are detrimental to the physical, mental, and social wellbeing and comfort level of our citizens, seeks to provide a more effective regulation of control of excessive noise through this ordinance.
- 2) Scope: This section shall apply to all sound and vibrations originating within the limits of the City of Alma.
- 3) Definitions:
 - a) Airblast: an airborne shock wave.
 - b) Continuous Sound: a sound, the intensity of which remains essentially constant over time.
 - c) Decibel: means a unit measuring the volume of sound equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure of 20 micropascals.
 - d) Department: means the law or ordinance enforcement agent representing the City of Alma, the Mayor, or members of the Services Committee.
 - e) Emergency: means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or required repair of crucial services.
 - f) Equivalent A: Weighted Sound Level-means the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time varying A-Weighted sound; = DBa
 - g) Noise Disturbance: means any sound which tends to annoy or disturb humans or animals and create an adverse effect to their physiological or psychological well being.
 - h) Real Property Boundary: means the line along the ground surface and extending vertically which separates property owned by the complainant from the location of the sound source.
 - i) Unreasonable Annoyance: Means an excessive, repeated, or otherwise disturbing sound for which there is no justification or reason.
- 4) Administration: Administration of this ordinance shall be enforced by the Department.
- 5) Noise Disturbance Prohibited: No person shall make or cause to be made or continued with the city, any noise disturbance as defined in subsection (3) of this section. The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this section, but such enumeration shall not be deemed to be exclusive.

(a) Radios, televisions, musical instruments, amplified sound, and other similar devices. It is in violation of this section to use, operate, or permit to be operated such devices while reaching or exceeding the DBa levels and hours of operation as outlined in section (6). Special exception permits may be applied for regarding special community events by contacting the City Clerk's office in advance and prior to the Budget, Finance, Taxation, and Licensing committee meeting.

b) Noisy Animals: It is known that animals from time to time make noises deemed natural and this should not be considered harmful. The keeping or harboring of noisy animals however, which by frequent or habitual barking, howling, yelping, crowing, or other sounds, creates an unnecessary disturbance is in violation of this section.

c) Construction, agricultural and other tools: The operation of construction, agricultural and other tools shall comply with the acceptable DBa levels as stated in section (6) with the understanding that for short durations some tools may exceed the 80DBa level during the daytime hours, i.e. (chainsaw, concrete saw). Private property owners are encouraged to limit the use of these items. They are not to be operated during nighttime hours.

Exceptions; shall be made to public utilities during all hours and when it is necessary to restore services or thoroughfares for the benefit of the general public or for the clearing of one's driveway from timber, debris, or snow, allowing for required access.

(d) Emergency signaling devices: Any device designed for the purpose of notifying the general public of an emergent situation is exempt from this section. The testing of such systems however will not occur prior to 8:00 AM nor after 7:00 PM.

(e) Purposefully causing a disturbance: The purposeful act of continual yelling, screaming, hooting, or shouting at another for no legitimate purpose and in such a manner as to create an unreasonable annoyance constitutes a violation of this chapter and is not subject to noise level requirements as stated in section

(f) Unreasonable annoyances created by motor vehicles: The driver of any vehicle is in violation of this section through the purposeful acts of squealing of tires, or the over-acceleration or excessive throttle of an engine while equipped with a non-factory, modified, or missing muffler system. No person shall make use of a muffler braking system, commonly referred to as a "Jake Brake" in a non-emergent situation. No person shall play a radio or similar device of any motor vehicle in such a manner that it is heard in excess of 200 feet from the source.

(6) Measurement and control of noise: Measurement and control of noise shall be in accordance with the following:

(a) Noise prohibited: No person shall make, continue or cause to be made any noise in excess of the levels as set forth in this section unless it is reasonably necessary for the preservation of life, health, safety, of persons and/or property.

(b) Measurement and control: It shall be unlawful for any person to cause a sound or sounds from a source which exceeds any sound level as set forth in the applicable column in the following table entitled "Maximum Permissible Sound Levels" when measured at the real property line of the complaining source. Measurements shall be taken by an authorized member of the department who is knowledgeable in the operation and proper use of the measurement equipment or device. Measurement shall be made in the slow response mode A weighted sound meter, (DBa).

Maximum Permissible Sound Levels

7:00 a.m. to 10:30 p.m.	80 DBa
10:30 p.m. to 7:00 a.m.	65 DBa

(7) Penalty

Any person who shall violate any provision of this chapter which a specific penalty is not provided shall be subject to a forfeiture of \$100.00 plus costs of the action, for each violation.

A second or subsequent violations of this section within a twelve month time period shall constitute a doubling of the penalty.

Duly adopted by the Common Council of the City of Alma on August 15, 2024 with a vote of 7 yes and 0 no by roll call vote.

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Richard Champeny - Mayor


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