

SECTION 795 NOISE

795.01 STATEMENT OF PURPOSE

It is recognized that loud and unpleasant raucous or prolonged noise can and does have a harmful, debilitating and detrimental effect upon human beings, adversely affecting their mental and physical health, safety and well being. Such loud, unpleasant and raucous or prolonged noise and resulting detrimental, debilitating and harmful effects upon human beings has become a major contemporary urban concern and is now considered to be a pollutant, not dissimilar to the pollution of the air and water by toxins or particulates. In an endeavor to provide for the mental and physical health, safety, and well being and peaceful repose of its citizens and their neighborhoods, it is hereby declared to be in the public interest that loud and unpleasant raucous and unnecessary or prolonged noise be abated.

795.02 ACTIVITY PROHIBITED

No person shall, between the hours of 10:00 p.m. and 7:00 a.m. congregate because of, participate in, or be in any party or gathering of people from which noise emanates of such a volume as to be plainly audible at a distance of 50 feet from a residential dwelling unit wherein such party is taking place, or from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of persons residing in any residential area.

795.03 ABATING DISTURBANCES

No persons except the owner, renter, lessor or other occupants shall visit or remain within any residential dwelling unit wherein a party or gathering described in 795.02 hereinabove, is taking place except persons who have gone there for the sole purpose of abating the said disturbance.

795.04 ENFORCEMENT

A police officer may order all persons present in any such group or gathering from which such noise emanates other than the owners or tenants of a dwelling unit, to immediately disperse from said party in lieu of being charged under this ordinance.

795.05 FAILURE TO ABATE

Owners or tenants of a dwelling unit shall immediately abate such a party as described in 795.02 hereinabove and failing to do so shall be in violation of this ordinance.

795.06 PENALTY

Any person violating any provision of this ordinance shall be guilty of a misdemeanor.