

## LOCAL LAW #2 – 1999

### Noise Law of the Village of Cayuga

#### Section 1. Legislative Intent

The making and creating of disturbing, excessive or offensive noises within the jurisdictional limits of the Village is a condition which has persisted, and the level and frequency of occurrence of such noises continues to increase. The purpose of this law is to preserve the public health, peace, welfare and good order by suppressing the making, creation or maintenance of excessive unnecessary, unnatural or unusually loud noises, which are prolonged, unusual and unnatural in their time, place and use and which are detrimental to the environment.

#### Section 2. Prohibited Acts

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which endangers the health, safety or welfare of the community or which annoys, disturbs, injures or endangers the comfort, rest, health, peace or safety or others within the Village of Cayuga.

The following acts, among others, are declared to be loud, unnecessary and disturbing and a danger to the health, safety and welfare of the community and its people in violation of this ordinance, but the enumeration shall not be deemed to be exclusive.

a. Using, operating or permitting to be played, used or operated any radio, television, hi-fi, stereo, phonograph, CD player or other machine or device for the producing or producing of sound in a manner as to disturb the peace, quiet and comfort of any persons in the vicinity.

b. The operation of any of the devices set forth in subdivision (a) between the hours of 10:00PM and 7:00AM in such a manner as to be plainly audible at a distance of 25 feet from the building, structure, device or vehicle in which it is located shall be prima facie evidence of a violation of this section. A person who causes the production of said sound through the operation of the machines or devices enumerated herein may be deemed a violator of this Chapter.

c. Yelling, shouting, hooting, whistling or singing or the making of loud or disturbing noises by the use of clappers, bells, horns, musical instruments or similar devices at any time or place so as to unreasonably annoy or disturb the quiet, comfort or rest of any person in any residence, hospital, school, place of business, street or public place.

d. The keeping of any animal which, by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

e. The use of any automobile, motorcycle, truck or vehicle operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

f. The operation or use of any power lawnmower, chain saw, fence post driller, or other similar devices between the hours of 10:00PM and 7:00AM.

g. Any of the following activities when occurring in close proximity to residents between 10:00PM and 7:00AM: the warming up or idling of busses, trucks, or tractors and the unnecessary or unreasonable or repeated idling, acceleration or deceleration or starting and stopping of automobiles or motorcycles.

h. The operation of construction equipment between the hours of 8:00PM and 7:00AM on any day or any time on Sunday. Such equipment includes, but is not limited to pile drivers, pneumatic hammers, derricks, dredges, tractors, earth moving equipment and other similar construction equipment.

Section 3 – Exceptions. The provisions of this law shall not apply to the following acts:

a. The emission of sound for the purpose of alerting persons to the existence of an emergency.

b. Noise from municipally sponsored celebrations or events

c. Noise from individually sponsored events where a permit for public assembly or other relevant permission has been obtained from the Village Clerk.

d. The operation or use of any organ, radio, bell, chimes or other instrument, apparatus, or device by any church, synagogue, or school licensed or chartered by the State of New York, provided such operation or use does not occur between the hours of 10:00PM and 8:00AM.

e. Noise generated by the installation and maintenance of utilities

f. Sounds connected with sporting events of any public or private school, burglar alarms or other warning devices when properly installed on publicly or privately owned property providing the cause for such alarm or warning device the sound is investigated and turned off within a reasonable period of time.