**Remove Ord. #58-309**

**Sec. 22-155. Stationary noise limits.**

(a) *Maximum permissible sound levels.*

(1) Noise from a stationary source shall not exceed the following standards for maximum sound pressure levels measured at the property line:

|  |  |  |
| --- | --- | --- |
| Zone  | Noise Rating (Daytime 7am – 5pm)  | Noise Rating (Nighttime 5pm-\*10pm)  |
| Residential  | 80 dB | 70 dB |
| Commercial  | 90 dB | 90 dB |
| All Other Zones  | 95 dB | 95 dB |

*\*Between 10:00 PM and 7:00 AM, the duration must not exceed a period of 5 minutes.*

(b)Construction noise*.* Construction equipment in any zone may be operated between the hours of 7:00 a.m. to 7:00 p.m.

(c)Operation of certain equipment*.* Lawnmowers, chainsaws, powered garden equipment, electric insect killing or repelling devices, and other non-construction maintenance equipment shall be operated only during the hours between 7:00 a.m. and 9:00 p.m. unless within the specified noise levels measured at the property line of the location at which the equipment is in use.

(d) Noise in residential districts*.* In residential zones, the person in violation of this section shall be ordered to reduce the sound pressure to acceptable levels immediately by the monitoring officer.

(e) ATV/UTV usage shall abide by the noise levels set forth in section 32-53(8).

(e) Exemptions. Operation of emergency equipment shall be exempt from this chapter. Snowblowers not operated on a commercial basis shall be exempt from this chapter when used to gain access to a village street. Emergency equipment shall include municipal ambulance, police, fire, snow removal, civil defense sirens, and similar activities necessary for the health, safety, and protection of the citizens of the village.

(f) The term "ambient noise" means the all-encompassing noise associated with a given source, usually being a composite of sounds with many sources near and far, but excluding the noise source being measured. Ambient noise is a factor and the subject noise shall exceed the ambient noise by five dB in any octave band to be designated excessive.

(g) Pure tones and impulsive noises are factors. Five noise rating numbers shall be taken from the table in subsection (a)(1) of this section, if the subject noise consists primarily of a pure tone or if it is impulsive in character.

(h)) Any person violating this section may be subject to a forfeiture as defined in the adopted village fee/bond schedule.

(Code 1986, § 9-2-9(c)) Rev. 09/2021, Rev. 03/07/2023