

Chapter 363

NOISE

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[HISTORY: Adopted by the Township Council of the Township of Vernon 6-13-1994 by Ord. No. 94-3; amended in its entirety 6-19-1995 by Ord. No. 95-11. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Alarms — See Ch. 137.

Public assemblies — See Ch. 153.

Animals — See Ch. 148.

Right to farm — See Ch. 240.

§ 363-1. Unnecessary and annoying noise prohibited.

It shall be unlawful for any person in any public or private place to make, or allow to be made, continued unnecessary, loud, or unusual noise which annoys, disturbs, or injures the quiet, comfort, repose, health, peace, or safety of others within the limits of the Township of Vernon.

§ 363-2. Cutoff of audible alarm signaling devices.

Every audible alarm signaling device designed for external notification shall have an automatic time limit cutoff of 15 minutes. Signaling or operation of an audible alarm signaling device in excess of 15 consecutive minutes shall be presumed to violate this chapter.

§ 363-3. Unlawful acts.

The following acts are declared to be in violation of this chapter, but such enumerations shall not be deemed to be exclusive:

- A. The operation of any instrument, phonograph, machine, or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure, or vehicle in which it is located.
- B. Yelling, shouting, whistling or singing between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, repose, health, peace or safety of persons.
- C. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Township, except as a danger warning, the sounding of any such device for any unnecessary and unreasonable period of time, the use of any horn, whistle, or other device operated by engine exhaust.

- D. Using, operating or permitting to be played, used or operated any radio or television receiving set, musical instrument, phonograph, or other machine or device for the producing or reproduction of sound in such manner as to disturb the peace, quiet, repose, health, safety or comfort of the neighboring inhabitants, or at any time at louder volume than is necessary for convenient hearing for the personal enjoyment of persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntarily listeners.
- E. The use of any radio receiving set, musical instrument, photograph, loudspeaker, sound amplifier, or other machine device, whether producing or reproducing sound, upon the public street for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- F. The causing of any noise on any street adjacent to a school, institution of learning, church or public office building while the same are in use, or adjacent to a hospital, medical office or clinic, which interferes with the workings of such institutions or which disturbs the occupants in such buildings.

§ 363-4. Exceptions.

The provisions of this chapter shall not apply to:

- A. The emission of sound for the purpose of alerting persons to the existence of an emergency.
- B. The emission of sound at any regularly operated outdoor commercial recreational facility for the conduct of its usual business, as long as such activity takes place during the hours of 7:00 a.m. and 11:00 p.m.
- C. Noise from snowmaking operations at any regularly authorized, approved and operated ski area.
- D. Noise from celebrations or events sponsored by the Township of Vernon, public or parochial schools, or houses of worship.
- E. Noise from athletic events, celebrations, concerts or dances held at Veterans Memorial Park, if approved and/or sanctioned or authorized by the Mayor and Township Council.
- F. Noise from or generated as a result of farming operations or farming equipment/vehicles incidental to the undertaking of a farming business or enterprise as long as such activity takes place during the hours of 6:00 a.m. and 11:00 p.m.
- G. Community associations. A "community association" shall be defined as in § 330-5 of Chapter 330, Land Development. Audible disturbances created by events which are sanctioned by a community association such as, but not limited to, athletic and/or sporting events, celebrations, concerts or dances, held on or in common facilities owned by the community association, shall be subject to the community association's own regulations and are exempt from this chapter. However, all such audible disturbances effecting areas outside of the boundaries of the community association shall be deemed a violation, and nothing in this section shall prohibit any person from seeking relief from such audible disturbances under the general provisions of this chapter. **[Added 5-30-2002 by Ord. No. 02-17]**

§ 363-5. Violations and penalties.¹

Any person violating any provision of this chapter shall be subject to the penalties set forth in Chapter 1, Article II, § 1-19, Violations and penalties. Each day of continued violation of this chapter shall constitute a separate offense and be punishable as such.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).