

SAMPLES OF CITY CODES REGULATING NOISE DECIBELS

BERRY HILL

11-302. Anti-noise regulations. It is unlawful to create, emit or cause to be emitted any excessive, loud and disturbing noise. The following shall be prima facie evidence of excessive, loud and disturbing noise:

(1) The use of any musical instrument, radio set, television set, phonograph, victrola or other instrument, machine or device for amplifying, producing or reproducing sound, in such manner as to disturb the peace and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing of the persons who are in the room, chamber or in the vicinity in which such instrument, machine or device is operated and who are voluntary listeners thereto. The operation of any such instrument, machine or device between the hours of 9:00 P.M. and 7:00 A.M. in such a manner as to be plainly audible at a distance of fifty (50) feet or more from the building or structure in which it is located shall be prima facie a violation of this section.

(2) Any noise created for the entertainment, enjoyment or benefit of the creator or their guests shall be presumed to be excessive, loud and disturbing if any of the following apply:

(a) The noise is clearly audible for a distance of 50 feet or more from the property line from which the noise emanates, or

(b) The noise is clearly audible by a passenger of a motor vehicle, other than a vehicle from which the noise may come, on a public street or thoroughfare with the doors and windows of the vehicle closed; or

(c) The noise occurs between the hours of 9:00 P.M. and 7:00 A.M. and can be heard more than thirty (30) feet beyond the property line from which the noise emanates; or

(d) In the event noise measuring devices or equipment are available, or become available, to measure the noise as against the ambient background noise, and the noise exceeds the ambient background noise by 15 decibels at any time between 9:00 P.M. and 7:00 A.M. or the noise is 25 decibels louder than the ambient background noise at any hour without regard to cause. Measurements of noise and ambient background noise shall be made at the property line unless other persons using the same property are complaining about the noise in which case the measurement shall be from the source of the noise. The use of measuring devices may be used as a supplement to other evidence or as evidence of a violation but is not required for the establishment of a violation. This section is not intended to be exclusive of any other section or provision of this chapter and use of a measuring device or equipment, when used, may be supplemental and does not preclude establishing a violation of other sections or through other evidence.

(3) Noise created in vehicles, including a radio, tape or disk player, or by a device or devices on the vehicle or from the vehicle, other than vehicle horns, shall be a violation of this section and presumed excessive, loud and disturbing if the noise is audible at a distance of twenty-five (25) feet or more from the vehicle.

(4) Vehicle horn blown when the vehicle or operator is not in immediate danger or when not used to warn or signal immediate and/or eminent danger.

(5) Noise made to attract attention to an event or sale which is audible 50 feet or more from the source or which exceeds the ambient background noise by 15 decibels.

(6) Persistent barking of a dog or other animal sounds which are audible 50 feet or more from the source or which exceeds the ambient background noise by 15 decibels. Dog barking or any other animal sounds which are 15 decibels louder than the ambient background noise shall be presumed to be unreasonable and disturbing if it is created between 9:00 P.M. and 7:00 A.M.

- (7) Exterior construction using hammers, power tools or motor driven equipment between the hours of 9:00 P.M. and 7:00 A.M.
- (8) Lawnmowers, bush clearing equipment, blowers, and other equipment used for cleaning or maintenance shall be exempted from this section if the equipment meets the following provisions:
- (a) The equipment is being operated and used for the purpose for which it was intended.
 - (b) The equipment is being operated with the use of all sound dampening devices which meet or exceed original equipment.
 - (c) The equipment is being used between the hours of 7:00 A.M. and 9:00 P.M.
 - (d) The equipment is used for the limited time required to accomplish the particular work or job activity.
- (9) A violation of this chapter shall be punishable by a fine not to exceed five hundred dollars (\$500.00). (Ord. #98-299, July 1998, as amended by Ord. #2000-313, Oct. 2000)

PIGEON FORGE

11-805. Prohibited noise sound level standards. Any act in violation of the following subsections is deemed to be in violation of the chapter without in any way limiting the generality of the provisions of § 11-804.

(1) Maximum permissible sound pressure levels. The maximum permissible sound pressure levels of any continuous source of sound shall be as herein established for the time period and district listed in Table A of this section. This includes, but is not limited to, sound from such activities as production, processing, cleaning, servicing, testing, operating, or repairing either vehicles, materials, goods, products or devices. Sound pressure levels in excess of those established for the districts of the city, in times herewith listed, shall constitute prima facie evidence that such sound is an unnecessary noise. Sound pressure levels shall be measured at the approximate location of the property line or the boundary of the public way, at a height of at least four (4) feet above the immediate surrounding surface, on a sound level meter of standard design and operated on the "A" weighting network.

TABLE A

Sound Pressure	Level Limit db(A)	
	Day 7 A.M.-10 P.M.	Night 10 P.M. - 7 A.M.
District		
Residential	55	50
Commercial	65	55
Industrial	80	75

When a noise source can be identified and its noise measured in more than one district, the sound pressure level limits of the most restrictive district shall apply.

(2) Construction activities. Except as otherwise provided in this chapter, no person shall engage in, cause or permit any person to be engaged in construction activities in any residential or commercial district between the hours of 9:00 P.M. of one day and 6:00 A.M. of the following day. Construction projects shall be subject to the maximum permissible noise level specified for industrial districts for the periods within which construction is to be completed pursuant to any applicable building permit. Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this section.

(3) Enclosed places of public entertainment. The operating, or permitting to be operated, of any sound amplifying equipment or other noise source in any enclosed place of public entertainment shall be subject to the following provisions. When individuals are subjected to sound levels and exposure durations exceeding those shown in Table B, when measured on a sound level meter

of standard design and operated on the "A" weighting network, feasible administrative or engineering controls shall be utilized to protect against the effects of such noise exposure.

TABLE B

Duration per day, hours	Sound level dBA slow response
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
1/2	110
1/4 or less	115

(4) Vehicle repairs or testing. The repairing, building, rebuilding, or testing of any truck, automobile, motorcycle or other motor vehicle within the city shall be subject to the maximum permissible sound pressure level for the district in which the source is located.

(5) Machinery, equipment, fans and air-conditioners. Operating any machinery, equipment, pump, fan, air-conditioning apparatus or similar mechanical device within the city shall be subject to the maximum permissible sound pressure level for the district in which the source is located.

(6) Domestic power equipment. No person shall operate or permit to be operated on private property or on the public way within any residential or commercial district(s) any power equipment rated five (5) horsepower or less and used for home or building repair or grounds maintenance between the hours of 10:00 P.M. of one day and 7:00 A.M. of the next day or operate or permit to be operated between the hours of 7:00 A.M. and 10:00 P.M. any such power equipment which emits a noise sound pressure level in excess of eighty (80) decibels in the "A" weighting network dB(A). Such power equipment shall include, but not be limited to, lawn mowers, garden tools, snow removal equipment, electric or chain saws or any other power equipment used for home or building repair or grounds maintenance. Noise sound pressure levels shall be measured at a distance of twenty-five feet from the noise source.

(7) Commercial power equipment. No person shall operate on any property within a residential or commercial district(s) or on any public way within a residential or commercial district(s), any power equipment rated more than five (5) horsepower, excluding construction equipment used for construction activities, such as but not limited to, chain saws, pavement breakers, log chippers, riding tractors, powered hand tools, between the hours of 10:00 P.M. of one day and 7:00 A.M. of the next day or within residential, commercial or industrial noise districts between the hours of 7:00 A.M. and 10:00 P.M. which emits a noise level in excess of eighty-eight (88) decibels, in the "A" weighting network dB(A). Noise sound pressure levels shall be measured at a distance of twenty-five (25) feet from the noise source. (1979 Code, § 10-305)

NORRIS

11-201. Unlawful sound or noise. (1) Sounds prohibited. It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary, repetitive or unusually loud noise, which either annoys, disturbs, injures or endangers the peace, health or safety of another person within the limits of the City of Norris. Examples of specific offenses include the following; however, this section is not exclusive:

- (a) Horns, etc. Use of horns or other signal devices on vehicles other than momentarily as a danger warning.
- (b) Engines. Racing vehicular engines.

- (c) Wheel spinning. Intentional spinning vehicular wheels to cause tire squealing.
 - (d) Mufflers. Operating vehicular stationary or other nonvehicular engines without mufflers adequately controlling exhaust noises.
 - (e) Radios, etc. Operating electronic or mechanical instruments such as music players louder than is necessary for convenient hearing within a dwelling or hall.
 - (f) Loud speakers, etc. Operating electronic or mechanical instruments such as loud speakers or drums out-of-doors or on the public streets for advertising.
 - (g) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling or singing at a continuing and loud manner, between the hours of 11:00 P.M. and 7:00 A.M.
 - (h) Pets. Permitting noise by animals which repeatedly disturbs the comfort or repose of any person in the vicinity.
 - (i) Noise producing construction operations. The noisy erection (including excavation), demolition, alteration, or repair of any building or property, in the construction or repair of streets and highways within the city limits during the hours of darkness on week days and Saturdays. An exception can be made in the case of urgent necessity in the interest of public health and safety, and when only with a permit from the building inspector granted or a period while the emergency continues not to exceed thirty (30) days. (For the purposes of this section the hours of darkness is defined as the period of time between thirty minutes after official sunset time and thirty minutes before official sunrise time). If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways during the preceding restricted hours, and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done during the restricted hours upon application being made at the time the permit for the work is awarded or during the process of the work.
- (2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:
- (a) City vehicles. Any vehicle of the city while engaged upon necessary public business.
 - (b) Repair of streets, utilities, etc. Excavations or repairs of water and sewer lines, bridges, streets, or highways at night, by or on behalf of the city, the county, or the state, when the public welfare and convenience renders in impracticable to perform such work during the day.
 - (c) Property owners making repairs and/or alteration on their own property.
- (3) Sound level from property. It shall be unlawful to project a sound or noise which exceeds the sound level set out in Table I below from one property into another within the boundary of any zoning district excluding noise emanating from cars, trucks, or motorcycles.

TABLE I - LIMITING NOISE LEVELS FOR ZONING DISTRICTS

SOUND LEVEL IN DECIBELS	ZONE	WHERE MEASURED
50	All residential Districts, (R-1, R-2, FAR)	Common lot line
55	Professional, Civic District (P-1)	Common lot line
60	Commercial Districts (C-1, C-2)	Common lot line
65	Industrial Districts	Common lot line

(4) Sound level from vehicles. It shall be unlawful to operate a motorized vehicle within the city limits which creates a noise or sound which exceeds the sound level limits set out in Table II below:

SOUND LEVEL IN DECIBELS MEASURED	TYPE OF VEHICLE	WHERE
87	Buses and trucks over 10,000#	At 50'
93	Buses and trucks over 10,000#	At 25'
80	Buses and trucks under 10,000#	At 50'
86	Buses and trucks under 10,000#	At 25'
78	Passenger cars	At 50'
84	Passenger cars	At 25'
87	Motorcycles (includes other vehicles)	At 50'
93	Motorcycles (includes other vehicles)	At 25'

(5) Sound level measurement. The sound level shall be measured with a type of audio output meter approved by the Bureau of Standards. The measurements shall be made at the location or distance specified in Tables I and II, where such noise is generated, or perceived, as appropriate, five (5) feet above the ground. The output meter during the measurement shall be positioned so as not to create any unnatural enhancement or diminution of the noise source. A wind screen for the output meter shall be used when required. (1972 Code, § 10-211)

ROGERSVILLE

15-805. Vehicle noises specifically prohibited. (1) No person shall operate or permit to be operated a motor vehicle without a muffling device at least as effective as that installed as original equipment by the manufacturer.

(2) No person shall operate or permit to be operated a vehicle at any time under any condition of roadway grade, load, acceleration, or deceleration in such a manner as to generate a sound level in excess of the following limits, when measured at a distance of at least twenty-five (25) feet from a noise source located within the applicable street, highway, or parking area:

(a) For any motor vehicle with a GVWR or GCWR of 10,000 pounds or more to be subject to the standards authorized by 42 USC § 4917 and specified in 40 CFR 202.10, et seq., the limits specified in that regulation, as the same may be amended from time to time by the Federal Highway Administration.

(b) For any motorcycle as hereinabove defined, 85dbA.

(c) For any other motor vehicle not included in subsection (a) above, 80dbA.

(3) The sounding of any horn or signaling device, except as a danger warning, is prohibited. (1986 Code, § 9-705)

SEVIERVILLE

11-302. Restrictions. (1) The making, creation or permitting of any unreasonably loud, disturbing or unnecessary noise in the city is prohibited.

(2) The making, creating or permitting of any noise of such character, intensity or duration as to be detrimental to the life, health or welfare of any individual or which either steadily or intermittently annoys, disturbs, injures or endangers the comfort, repose, peace or safety of any individual is prohibited.

- (3) The following standards shall apply:
- (a) Residential zones. No person shall cause, suffer, allow or permit sound from any source which when measured at the point of annoyance, is in excess of:
 - (i) 7:00 A.M. to 10:00 P.M.:
 - (A) Continuous airborne sound which has a sound level of 55 dbA's.
 - (B) Impulsive sound in air with an impulsive sound level of 80 dbA's.
 - (ii) 10:00 P.M. to 7:00 A.M.:
 - (A) Continuous airborne sound which has a sound level of 50 dbA's.
 - (B) Impulsive sound in air with an impulsive sound level of 80 dbA's.
 - (b) Industrial and commercial zones. No person shall cause, suffer, allow or permit sound from any source which when measured at the point of annoyance, is in excess of:
 - (i) 7:00 A.M. to 10:00 P.M.:
 - (A) Continuous airborne sound which has a sound level of 65 dbA's.
 - (B) Impulsive sound in air with an impulsive sound level of 80 dbA's.
 - (ii) 10:00 P.M. to 7:00 A.M.:
 - (A) Continuous airborne sound which has a sound level of 55 dbA's.
 - (B) Impulsive sound in air with an impulsive sound level of 80 dbA's. (Ord. #640, Mar. 1991)

11-303. Declared unnecessary noises enumerated. The following acts, among others, are declared to be loud or disturbing or unnecessary noises in violation of this chapter even if the noises referred to do not violate the standard noise level for the city.

- (1) Horns, signal devices and the like.
- (a) The sounding of any horn or signal device of any automobile, motorcycle, bus or other vehicle:
 - (i) While not in motion, except as a danger signal that another vehicle is approaching apparently dangerously; or
 - (ii) If in motion:
 - (A) after or as brakes are being applied and deceleration of the vehicle is intended;
 - (B) before passing another vehicle as a signal of intent to so pass;
 - (C) where state motor vehicle statutes require the sounding of such a horn or signaling device; or,
 - (D) when otherwise necessary as a danger signal.
 - (b) Wherever the sounding of any horn or signal device is permitted or required such sound shall not be unreasonably loud or harsh and shall not be for an unreasonable duration of time.
- (2) Animals and birds. The keeping of any animal or bird which, by causing frequent or long-continued noise, disturbs the comfort and repose of any person in their vicinity.
- (3) Defect in vehicle or noisy load. The use of any automobile, motorcycle or other vehicle so out of repair or loaded in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (4) Steam whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.
- (5) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorcycle engine except through a muffler or other device which meets the standards established for such devices by applicable state laws and regulations.
- (6) Mechanical devices. The use of mechanical devices operated by compressed air unless the noise created thereby is effectively muffled and reduced.

(7) Schools, courts, churches, and hospitals. The creation of any loud or excessive noise on any street adjacent to any school or institution of learning or judicial court while the same are in session or on any street adjacent to any hospital, which noise unreasonably interferes with the workings of such institutions; this restriction shall be in force only if signs are displayed in such streets indicating the same is a school, hospital, or court street or quiet zone.

(8) Loading or unloading of vehicles; opening or destruction of boxes. The creation of a loud or excessive noise in connection with loading or unloading any vehicle or the opening or destruction of bales, boxes, crates, and containers.

(9) Devices attached to buildings. The sounding of any bell, gong or device attached to any building or premises, particularly during the hours between 11:00 P.M. and 7:00 A.M., which disturbs the quiet or repose of any persons in the vicinity of the devices. This rule shall not apply if the bell, gong or device is sounded as a warning of danger.

(10) Trains, vehicles and buses. The unnecessary or prolonged blowing or sounding of any horn, whistle, bell or other device attached to any train, locomotive, motor vehicle, bus or truck while passing through the city or while loading passengers or freight within the city.

(11) Loudspeakers and amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other vehicles for advertising or other commercial purposes, except where a specific license or permit is received from the police department.

(12) Construction or repair of buildings. Construction, demolition, repair, paving or alteration of buildings or streets or excavation when conducted between the hours of 7:00 P.M. and 7:00 A.M. (9:00 A.M. on Sundays), except in emergencies. (Ord. #640, Mar. 1991)

11-304. Nonvehicular noises restricted. No person shall use or operate any facility, machine or instrument or produce or cause to be produced any sound in the city, when the same shall produce noise, the sound-pressure level of which measured at the point of annoyance complained of shall exceed the standard noise level of the city established for that location and time of day. In measuring noises to determine if the standard noise level of the city has been exceeded, the measurement shall be measured on the A-weighting of an accurate sound-level meter. The background sound level is defined as the sound present when the offending noise source is silenced. (Ord. #640, Mar. 1991)

11-305. Vehicular noise regulations. (1) No person shall operate, within the limits of the city, any vehicle which will emit noise which will exceed the standard noise level of the city established for the size vehicle when used under ordinary circumstances. For noncommercial vehicles, the standard noise level of the city is hereby established as follows:

Type of vehicle	Maximum noise level (dbA's)
Vehicle other than motorcycles	76
Motorcycles	82

(2) Measurements shall be taken fifty feet from the source. (Ord. #640, Mar. 1991)

11-306. Exemptions. Exemptions from noise level limits shall be as follows:

(1) Emergency construction, repair, pavings demolition, or alteration of a street or building. Permission of the city administrator shall be proof that such emergency exists.

(2) Emergency activities of municipal, county, state, or federal government agencies and emergency activities of public utilities when they are seeking to provide electricity, water or other public utility services and the public health, safety or welfare are involved.

(3) Warning devices on authorized emergency vehicles and on vehicles used for traffic safety purposes.

(4) Attendant on-site noise connected with the actual performance of sporting events, parades, auctions, fairs and festivals.

(5) Power lawn mowers, when operated between the hours of 8:00 A.M. (9:00 A.M. on Sundays) and 10:00 P.M.

(6) Air conditioners that increase the background or ambient noise level no more than five dbA's. (Ord. #640, Mar. 1991)

RED BANK

9-819. Signs distracting to motor vehicle operators prohibited.

Where there are entrance and exit ramps to any controlled access facility, or a confluence of traffic, or anywhere else where operators of vehicles might be required to make sudden decisions in order to safely operate their vehicles, then no signs shall be permitted or allowed that will be or are or may reasonably be distracting to drivers and thereby hazardous and dangerous to the traveling public. Additionally, and regardless of location, no off-premise or on-premise sign shall have moving parts, picture tubes, lights or illumination that vary in intensity, flash or change color, except

(1) That tri-vision off-premise signs with moving parts shall be permitted,

(2) On-premise message centers shall be allowed provided a special permit has been obtained pursuant to the provisions of this chapter, and

(3) On-premise signs displaying current time and/or temperature only through the use of lights that vary in illumination or intensity shall be allowed, provided that each display shall remain constant for a minimum of not less than four (4) seconds.

No signs that resemble any regulatory or warning traffic control device or sign as found in the latest edition of the Manual of Uniform Traffic Control Devices for Streets and Highways as now existing or hereafter amended shall be permitted. No sign shall emit any sound or sounds, audible to the human ear without amplification or exceeding ten (10) decibels. (1975 Code, § 5-820, as replaced by Ord. #03-875, June 2003)

BELLE MEADE

11-408. Anti-noise regulations. (1) Definitions.

(a) "Noise level" shall mean the "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of twenty microwatts per square meter. The unit of measurement shall be designated as dB(A).

(b) "Person" shall mean a person, firm, association, co-partnership, joint venture, corporation or any entity, public or private in nature.

(c) "Sound level meter" shall mean an instrument meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

(2) Noise of such character, intensity, and/or duration as to be unreasonably loud and disturbing or in disturbance of the public peace and welfare, wherever and by whomever committed, is hereby prohibited and declared to be a nuisance.

(3) It is also specifically prohibited and hereby declared to be a nuisance for any person at any location within the City of Belle Meade to create such noise as above described, on property owned, leased, occupied, or otherwise controlled by such person. Where the resulting noise level, when measured on any other property within the city, exceeds the noise standards listed below, this in and of itself shall constitute violation of this subsection. Sound level meter evidence, however, is not required in order to show violation, which may also be established by other evidence.

NOISE STANDARDS

<u>Noise Level</u>	<u>Time Period</u>
55dB(A)	07:00 A.M. - 10:00 P.M.
50dB(A)	10:00 P.M. - 07:00 A.M.

- (4) Exemptions. The following activities shall be exempted from the provisions of this section:
- (a)(i) Municipal vehicles. Any vehicle of the City of Belle Meade while engaged upon necessary public business.
 - (ii) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways, by or on behalf of the City of Belle Meade, the county, or the state. Such work may be performed between the hours of 7:00 P.M. and 7:00 A.M. only when the public welfare and convenience renders it impossible to perform such work during the day.
 - (b) Activities conducted on any park or playground, provided such park or playground is owned and operated by a public entity.
 - (c) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work.
 - (d) Noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of 7:00 P.M. and 7:00 A.M. on weekdays, including Saturday, or at any time on Sunday or a federal holiday.
 - (e) Noise sources associated with the maintenance of real property, provided said activities take place between 7:00 A.M. and 7:00 P.M. on any day. (Ord. 71-6, § 2.31. 1987 Code, § 10-231, as amended by Ord. #93-11, § 1, Dec. 1993)

JOHNSON CITY

11-503. Maximum permitted sound levels in residential zones.

- (1) Except as allowed in § 11-504 below, no person, regardless of location, shall operate or cause to be operated any source of sound in such a manner as to create a sound level which, at its peak, exceeds the limits set forth in this section when measured at a height of five (5) feet above the ground at or beyond the property line of a residence. Physical features which are commonly associated with property boundaries such as back of curb, edge of driveway or parking lot, hedges, perimeter landscape strips or buffers or fences are presumed to be at a point which is at or beyond the property line.
- (2) Sound which originates from a dwelling unit in a duplex or other multi-family housing unit may be measured within an adjacent intrabuilding dwelling or from any point at least twenty-five (25) feet from the unit from which the noise originates.
- (3) The following standards shall govern the allowable noise levels in any residential zoning district. Unless exempt per § 11-506 or allowed by special permit as defined in § 11-507, no noise shall exceed the limits specified below:
 - (a) Nighttime - 55 dBA between 11:00 PM and 7:00 AM.
 - (b) Daytime - 75 dBA between 7:00 AM and 11:00 PM. (Ord. #3251, Oct. 1994, as amended by Ord. #3600, July 1998)

11-504. Maximum permitted sound levels for motor vehicles.

- (1) It shall be unlawful for any person to operate or cause to be operated a public or private motor vehicle, motorcycle or combination of vehicles at any time in such a manner that the sound level of the vehicle exceeds the levels set forth in Table 1 below:

TABLE 1
 MAXIMUM MOTOR VEHICLE SOUND LEVEL (dBA)

Vehicle class	Speed limit 35 mph or less	Speed limit over 35 mph
Any motor vehicle with a gross vehicle weight rating (GVWR) of less than 10,000 pounds	81	85
Any motor vehicle with a GVWR of more than 10,000 pounds	89	94
Motorcycles 81 85 Any other motor vehicle or any combination of vehicles towed by any motor vehicle	76	80

(2) Sound levels are to be measured at a distance of at least fifty (50) feet from the noise source and at a height of at least four (4) feet above the surrounding surface. (Ord. #3251, Oct. 1994)

11-505. Nuisance noises expressly prohibited. To the extent that they exceed the sound levels set forth in § 11-503 or § 11-504, the following specific acts are declared to be in violation of this chapter:

- (1) Animals. The keeping of any animal, bird or fowl which makes frequent or long, continued noise;
- (2) Noise sensitive zone. The creation of any excessive noise heard within any school, public building, church or any hospital, or the grounds thereof, while in use, which interferes with the workings of such institution;
- (3) Loudspeakers, etc. The use of any loudspeaker, drum, or other device for the purpose of attracting attention to any performance or sale or display of merchandise. (Ord. #3251, Oct. 1994)

11-506. Exceptions. The following are exempt from the sound level limits specified in § 11-503 and § 11-504 of this code:

- (1) Any vehicle or employee of the city, while engaged upon public business;
- (2) Construction operations between the hours of 7:00 AM and 9:00 PM for which building permits have been issued or construction operations for which no permit is required, provided that all construction equipment is operated according to manufacturer's specifications and mufflers are maintained in proper working order;
- (3) Excavations or repairs of bridges, streets, highways, sidewalks, utilities, or other public works by or on behalf of the city, county, state, or utility company, during the night, when the public welfare and convenience renders it impossible to perform such work during the day;
- (4) Domestic power tools, lawn mowers, and agricultural equipment, between the hours of 7:00 AM and 9:00 PM provided it is properly operated with all manufacturer's standard noise-reducing equipment in place and in proper operating condition;
- (5) Safety signals and alarm devices and the authorized testing of such equipment;
- (6) Noises from nonamplified church bells and chimes;
- (7) Noises resulting from a parade, scheduled outdoor athletic event, fireworks display, or any event which has been sanctioned by the city.

- (8) Noises resulting from a street fair or block party between the hours of 7:00 A.M. and 11:00 P.M.
- (9) Noise(s) from trains and other associated railroad rolling stock when operated in proper repair and manner;
- (10) Religious or political gatherings and other activities protected by the First Amendment to the United States Constitution. (Ord. #3251, Oct. 1994)

COOKEVILLE

11-202. Anti-noise regulations. (1) Preamble. The Council of the City of Cookeville finds that excessive noise is detrimental to the physical, mental, and social well being of the citizens of the City of Cookeville as well as to their comfort, living conditions, general welfare and safety and hereby declares it necessary to provide for more effective regulation of excessive noise. It is the intent of this chapter to establish standards that will eliminate or reduce unnecessary and excessive noise which is physically harmful and otherwise detrimental to individuals and the community in the enjoyment of life, property and conduct of business.

(2) Definitions. As used in this chapter, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

(a) "A-weighted sound pressure level" means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network, as defined in American National Standard S1.4-1983 (R 1997). The level so read is designated dB(A).

(b) "Ambient noise" means the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far.

(c) "City" means City of Cookeville.

(d) "Commercial use" means activity within or upon a premise where offices, clinics, kennels, shopping and service establishments exist and none of the gross floor area meets the definition of residential use, as set forth below.

(e) "DB(A)" means a unit for measuring the volume of a sound, equal to twenty times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty micropascals (twenty micronewtons per square meter).

(f) "Impulsive sound" means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

(g) "Industrial use" means any activity within or upon a premise where manufacturing, processing or fabrication of goods or produces takes place.

(h) "Motor vehicle" means any motor required to be registered by the Department of Safety for the State of Tennessee, pursuant to Title 55 of the Tennessee Code.

(i) "Person" means any individual, association, partnership, or corporation, and includes any officer or employee thereof.

(j) "Public premise" means all real property, including appurtenances thereon, which is owned or controlled by any public governmental entity and shall include streets, alleys, parks and navigable waterways, but shall not include real property leased to any non-governmental entity for residential, commercial or industrial use, as defined herein.

(k) "Real property boundary" means a line along the ground surface, and its vertical extension, which separates the real property owned by one person or entity from that owned by another person or entity, but not including intrabuilding real property divisions.

(l) "Residential use" means any premises lawfully used for human habitation under the ordinances of the City of Cookeville and the laws of the State of Tennessee and shall include schools, churches, hospitals, nursing homes, and similar institutional facilities.

For purposes of this section only, premises adjoining, adjacent to or opposite hospitals or nursing homes shall also be deemed residential use.

(m) "Sound pressure" means the average rate at which sound energy is transmitted through a unit area in a specified direction.

(n) "Sound pressure level meter" means an instrument used for measurement of the intensity of sound and accurately calibrated in decibels. Readings shall be made on a dB(A) scale.

(3) Standards.

(a) No person shall cause, suffer, allow or permit sound from any source which, when measured from the real property boundary of the source of the sound, is in excess of the following standards:

(i) Residential use. (A) When the offending sound emanates from a residential use between the hours of 7:00 A.M. and 12:00 midnight, sound which has an A-weighted sound pressure level of 65 dB(A), or impulsive sound which has an A-weighted sound pressure level of 80 dB(A).

(B) When the offending sound emanates from a residential use between the hours of 12:00 midnight and 7:00 A.M., sound which as an A-weighted sound pressure level of 60 dB(A), or impulsive sound which has an A-weighted sound pressure level of 80 dB(A).

(ii) Commercial use.

(A) When the offending sound emanates from a commercial use between the hours of 7:00 A.M. and 12:00 midnight, sound which has an A-weighted sound pressure level of 80dB(A), or impulsive sound which as an A-weighted sound pressure level of 80 dB(A).

(B) When the offending sound emanates from a commercial use between the hours of 12:00 midnight and 7:00 A.M., sound which as an A-weighted sound pressure level of 75 dB(A), or impulsive sound which has an A-weighted sound pressure level of 80 dB(A).

(iii) Industrial use. When the offending sound emanates from an industrial use, continuous or impulsive sound which has an A-weighted sound pressure level of 80 dB(A).

(b) No person shall cause, suffer, allow or permit from any source within a public premise any airborne sound which, when measured from the source of the sound, has an A-weighted sound pressure level in excess of 65 dB(A), or any impulsive sound which has an A-weighted sound pressure level of 80 dB(A). This subsection shall not apply to legitimate government operations.

(c) Sound, whether continuous or impulsive, shall be measured at approximately five feet above grade, using a slow meter response setting and using a windscreen when appropriate.

(4) Loud, unusual or unnecessary noises prohibited; criteria; other prohibited noises.

(a) Consistent with other provisions of this section, and in addition thereto, it shall be unlawful for any person within the limits of the city to make, produce, cause, suffer, continue or allow to be produced or continued by human voice, machine, animal, or device, or any combination of same, any unreasonably loud, unusual or unnecessary noise which disturbs the peace and quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area, or which otherwise injures or endangers the comfort, repose, health, peace, safety or welfare of others.

(b) The standards which shall be considered in determining whether a violation of this section exists shall include, but shall not be limited to the following:

(i) The frequency of the noise;

- (ii) The intensity of the noise;
- (iii) Whether the nature of the noise is usual or unusual;
- (iv) Whether the origin of the noise is natural or unnatural;
- (v) The frequency and intensity of the ambient noise, if any;
- (vi) The proximity of the noise to residential sleeping facilities;
- (vii) The nature and land use of the area within which the noise emanates;
- (viii) The population density of the inhabitation of the area within which the noise emanates;
- (ix) The time of the day the noise occurs;
- (x) The duration of the noise; and
- (xi) Whether the noise is recurrent, intermittent, or constant.

(c) The following acts, among others, are declared to be unreasonably loud, unusual or unnecessary noises in violation of this chapter, even if the noises referred to do not violate the noise level standards set forth in this section.

- (i) Horns and signaling devices on vehicles. The sounding of any horn or signaling device on any automobile, motorcycle, bus or other vehicles while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
- (ii) Steam whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon request of proper city authorities.
- (iii) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or motorboat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (iv) Drums and other attention-attracting devices. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.
- (v) Animals and birds. The keeping of any animal or bird which, by frequent barking, howling, crying, singing or causing any other frequent or long-continued noise, disturbs the comfort and repose of any person in the vicinity.
- (vi) Sound trucks. The use or operation on or upon the public streets in the city or on driveways or throughways owned by or leased to the City of Cookeville of any device known as a sound truck, or any loudspeaker, sound amplifier or other instrument of any kind or character which emits therefrom loud raucous noises and is attached to and upon any vehicle operated or standing upon the city streets or on driveways or throughways owned by or leased to the City of Cookeville.
- (vii) Defect in vehicle or noisy load. The use of any automobile, motorcycle, or other vehicle so out of repair or loaded in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (viii) Pneumatic devices. The use of any mechanical devices operated by compressed air unless the noise created thereby is effectively muffled and reduced.
- (ix) Fireworks. The use of any combustible novelty or recreational items generating a whistle or loud report.

(5) Noise from motor vehicle audio equipment. Consistent with other provisions of this section, and in addition thereto, no person shall use or operate any radio, tape player, record player,

compact disc player or any similar device in or on a motor vehicle located on the public streets of the City of Cookeville, property owned by or leased to the City of Cookeville, or within a public park, within a public parking lot or on any other public premise within the city, which is audible to a person of normal hearing sensitivity more than fifty feet from such vehicle, nor shall any person use or operate any radio, tape player, record player, compact disc player or any similar device in or on a motor vehicle located on private property which is audible to a person of normal hearing sensitivity more than fifty feet outside the real property boundary of said property. Words and phrases need not be discernible for said sound to be audible, and said sound shall include bass reverberation.

(6) Continuing violations. Each violation of this section shall be considered a separate offense, and any violation continuing more than one half (1/2) hour or recurring within one half (1/2) hour shall be considered a separate offense for each half hour of violation.

(7) No warning required. Nothing contained in this section shall be construed as requiring any warning to any person before the enforcement of the provisions of this section.

(8) Exceptions. None of the terms or prohibitions contained in this section shall apply to or be enforced against:

(a) Any vehicle of the city or a public utility while engaged in necessary public business.

(b) Excavations or repairs of bridges, streets or highways by or on behalf of the city, the county or the state during the night, when the public welfare and convenience renders it impossible to perform such work during the day

(c) Emergency activities of the city, the county, or the state and emergency activities of public utilities when they are seeking to provide electricity, water or other public utility services and the public health, safety or welfare is involved.

(d) Any special event authorized by the city pursuant to the law, rules and regulations of the city.

(e) Excavation, construction, demolition, repair, paving or alteration of buildings or streets. This exception shall not apply to such excavation, construction, demolition, repair, paving or alteration of buildings or streets in a residential use between the hours of 6:00 P.M. and 7:00 A.M. except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the progress of the work.

(f) Use of domestic power equipment (including but not limited to power lawn mowers, leaf blowers, trimmers, snowblowers, tillers, saws, sanders, drills, or similar devices) between 8:00 A.M. and 9:00 P.M.

(g) Attendant on-site noise connected with the actual performance of organized sporting events on school campuses and in publicly owned parks or facilities.

(h) Warning devices on authorized emergency vehicles and on motor vehicles used for traffic safety purposes.

(i) Amplified and unamplified bells and chimes on schools, public buildings and other places of assembly.

(j) Use of motor vehicles for the collection and/or compacting of refuse, except that such vehicles shall not operate between 10:00 P.M. and 7:00 A.M. in a residential use.

(k) Cleaning and maintenance of parking lots and access roadways held open to the public, but only when such activities are not feasible between 7:00 A.M. and 10:00 P.M.

- (l) Any aircraft in flight subject to federal law regarding noise control and any helicopter in the act of landing or taking off, if such landing or taking off is approved.
- (m) Air conditioning and refrigeration units appurtenant to a permanent structure, so long as the unit or any of its component parts is not so out of repair as to create loud or unnecessary grating, grinding, rattling or other noise.
- (n) Human sounds emanating from children twelve (12) years of age or under, including but not limited to speech and utterances of laughter, cries, and sounds associated with play.
- (o) Security alarms on structures or motor vehicles, except that such alarms must terminate operation within five (5) minutes after activation for continuous airborne sound and within fifteen (15) minutes for impulsive sound unless otherwise provided in this code.

(9) Special noise permits.

- (a) The City of Cookeville shall, upon proper application, grant special permits for limited exceptions from the provisions of this section.
- (b) Special noise permits shall be issued only for events occurring on Friday, Saturday, or a federally recognized holiday, and shall be effective only between the hours of 7:00 A.M. and 10:00 P.M. Special noise permits shall be limited to a single day, and no more than two permits shall be issued to any premises in any twelve (12) month period, regardless of any change in ownership of the premises.
- (c) Any person seeking a special noise permit pursuant to this section shall file an application with the city clerk. The application shall contain specific information regarding the nature of the event for which the permit is sought, including the anticipated duration of the event, the address of the premises for which the permit is sought, the name (and address, if different from the premises for which the permit is sought) of the person seeking the permit, an acknowledgement of responsibility of the applicant for any violations of this section resulting from noncompliance with the terms of the permit, and the signature of the applicant. Said application shall be filed no less than three (3) business days prior to the effective date of the permit. No permit shall be issued by the city clerk unless the application has been approved in writing by the Cookeville Police Department.
- (d) Upon receipt of a properly executed and signed application, the City of Cookeville shall issue a special noise permit to the applicant, which permit shall exempt the premises specified in the permit from the provisions of this section for the date specified in the permit, except that sound emitted from the premises shall in no way exceed the standards set forth in this section by more than 10 dB(A).
- (e) Non-compliance with any conditions of the permit or any of the provisions of this section shall invalidate the permit and subject the applicant and any other person on the premises to all provisions of this section.
- (f) The permit shall be displayed prominently on the premises covered by the permit.
(Ord. #099-02-03, March 1999, as amended by Ord. #001-11-16, Feb. 2002)

CROSSVILLE

11-402. Anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise exceeding eighty-seven (87) decibels and of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

- (a) Blowing horns. The sounding of any horn or other device on any automobile, motorcycle, bus, truck, or vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
- (b) Radios, phonographs, etc. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of any person in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.
- (c) Yelling, shouting, etc. Yelling, shouting, whistling, or singing on the public streets, particularly 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, or repose of any person in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.
- (d) Pets. The keeping of any animal, bird, or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.
- (e) Use of vehicle. The use of any automobile, motorcycle, truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.
- (f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.
- (g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hour of 7:00 A.M. and 6:00 P.M. on week days, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector granted for a period while the emergency continues not to exceed thirty (30) days. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M., and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the process of the work.
- (i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.
- (j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.
- (k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale or display of merchandise.

- (l) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.
- (2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:
 - (a) City vehicles. Any vehicle of the city while engaged upon necessary public business.
 - (b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the city, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.
 - (c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations. However, no such use shall be made until a permit therefor is secured from the city council. Hours for the use of an amplified or public address system will be designated in the permit so issued and the use of such systems shall be restricted to the hours so designated in the permit. (1989 Code, § 11-502, as amended by Ord. #1200, Nov. 2008)

15-119. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (1989 Code, § 15-120)

CUMBERLAND GAP

11-302. Anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited under the following parameters. In residentially and commercially zoned areas, as defined under Title 14 of this code, excess of the following decibel limits is prohibited:

<u>Zoning</u>	<u>Time of Day</u>	
	7:00 AM – 9:59 PM	10:00 PM – 6:59 AM
Residential	45 db (A)	40 db (A)
Commercial	55 db (A)	45 db (A)

Decibel recordings are made with an American National Standards Institute Type II approved device at the approximate location of the property line or the boundary of the public way, at a height of at least four feet above the immediate surrounding surface.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

- (a) Blowing horns. The sounding of any horn or signal device on any automobile, motorcycle, bus, truck, or vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
- (b) Radios, phonographs, etc. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio, or television, in such a manner or with such volume, as to annoy

or disturb the quiet, comfort, or repose of persons in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, whistling, or singing on the public streets, or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any person in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.

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

(e) Use of vehicle. The use of any automobile, motorcycle, truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper municipal authorities.

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector granted for a period while the emergency continues not to exceed thirty days. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 10:00 PM – 6:59 AM, and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 10:00 PM and 6:59 AM upon application being made at the time the permit for the work is awarded or during the process of the work.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.

(j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.

(k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale or display of merchandise.

(l) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the town while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the town, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations.

However, no such use shall be made until a permit therefore is secured from the recorder and treasurer. Hours for the use of an amplifier or public address system will be designated in the permit so issued and the use of such systems shall be restricted to the hours so designated in the permit. (1979 Code, § 10-234, as replaced by Ord. #2-2008, May 2008, as replaced June 2008)

CLEVELAND

11-203. Excessive noise from motor vehicles. (1) No person operating or occupying a motor vehicle on any public street, highway, alley, parking lot, or driveway within the corporate limits of the City of Cleveland, Tennessee, shall operate or permit the operation of any sound amplification system, including, but not limited to, any radio, tape player, compact disc player, loudspeaker, or any other electrical device used for the amplification of sound from within the motor vehicle so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle. For the purpose of this section "plainly audible" means any sound which clearly can be heard, by unimpaired auditory senses based on a direct line of sight of fifty (50) or more feet, however, words or phrases need not be discernible and such sound shall include base reverberation.

(2) This section shall not be applicable to emergency or public safety vehicles, vehicles owned or operated by a municipal or county government or any utility company, for sound emitted unavoidably during a job-related operation, school or community sponsored activities, auctioneers or auctioning activities, boats or other water crafts operated on waters or any motor vehicle used in an authorized public activity for which a permit has been granted by the appropriate agency of a municipal or county government.

(3) A violation of this section will subject the offender to a fine in an amount not to exceed \$50.00. (as added by Ord. #2004-30, Aug. 2004)

SWEETWATER

14-313. M-1 Industrial zoning district. The purpose of this zoning district is to allow for a wide variety of industrial land uses. Non-noxious industries, those which do not utilize caustic chemicals, store flammable chemicals, produce noxious odors, or utilize machinery or heating/air conditioning systems which generate noise levels in excess of 55 decibels outside the plant, or process good which would have an impact on noise or air quality are permitted uses. Plants which may require the handling of chemicals or storing of flammable products or other noxious factors noted above are permitted as a use on review by the board of zoning appeals if site design criteria indicates that they will not pose any health, environmental, or safety threat to surrounding properties.

(1) Uses permitted. All uses listed below are allowed:

(a) Agriculture implementation sales and service; filing stations; building materials and lumber yards; bottling and packaging plants; electrical appliance and equipment assembly; engraving and printing; optical goods manufacturing; public utilities; wholesaling and warehousing (except for the storage of chemicals or pharmaceuticals); engineering and contractors offices; building supply sales.

(b) Signs and billboards as regulated in § 14-409.

(2) Uses permitted on review. Site plans are required for all uses listed below. Any chemical usage or storage must be noted on the site plan. Any storage of gasoline or other flammables must be noted as to the proposed location of storage and types of containers. Any dyes or other manufacturing goods which are of a chemical compound mixture or solution must be noted on the site plan. Any decibel levels outside the plant must be noted, and any construction materials used to muffled loud equipment noises must be noted. Any dyes or similar by-products which

will be transmitted into the public sewer must be noted on the site plan. By-products from mean processing must be noted as to the manner in which odor will be contained. All federal standards regarding noise, air quality, chemical disposal, and public safety must be certified as being met. The board of zoning appeals can deny where the proposal negatively impacts the areas noted above or where the proposal has not submitted adequate information to assure compliance.

- (a) Sewing operations and piece goods; sporting goods manufacturing; paper products processing and fabrication.
- (b) Meat processing or packaging.
- (c) Concrete products manufacture.
- (d) Mining operations provided that they submit a mining reclamation plan for approval.
- (e) Asphalt manufacturing.
- (f) Foundries.
- (g) Pharmaceuticals production.
- (h) Brick, tile, or terra cotta manufacturers.
- (i) Buildings incidental to the above uses.

(3) Uses prohibited.

- (a) Nuclear waste processors.
- (b) Any firm utilizing nuclear materials.
- (c) Any use which the board of zoning appeals deems has not offered enough factual information regarding health, safety or environmental concerns or who has not proven its intent to deal effectively with health, environmental, or safety issues.

(4) Lot and area regulations. The front, rear, and side yard setbacks shall be twenty feet unless a loading dock is utilized in which case the setback on the loading dock side shall be thirty feet. On lots abutting a residential district, the setback on the abutting side shall be fifty feet. No new industrial district shall be located on less than two acres. Existing buildings may be rezoned for use provided that there is adequate parking and evergreen landscaping is utilized to buffer industrial operations on sites where buildings are located. Existing buildings located adjacent to residential buildings or districts must buffer a ten feet wide area with tall growing evergreens. Sound barriers may also be required.

- (a) Gasoline pumps and islands, and surfaces must be located twenty-five feet from any building and fifty feet from any residential district.
- (b) No yard setback shall be required for any lot abutting a railroad.
- (c) Landscaping is required in accordance with § 14-413.
- (d) No industrial use shall be allowed to have access through residential street.
- (e) The board of zoning appeals may permit uses similar to above listed uses with the appropriate site plans and safety, health and environmental notations being placed on the plan and assurances that environmental and safety issues will be met.
- (f) Warehouses used for the storage of household goods shall be allowed more than one structure per lot provided that all external setback requirements are met. (Ord. #585, July 1986, as amended by Ord. #592, Sept. 1986, modified)

LEBANON

11-401. Commercial, industrial and business anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonably loud, disturbing, unnecessary commercial, industrial or business noise which causes material distress or discomfort or injury to persons of ordinary sensibility in the immediate vicinity thereof is hereby declared to be unlawful under the provisions stated herein and is hereby prohibited.

(1) Determination of unreasonably loud noise. For the purpose of determining and classifying any commercial or industrial noise as unreasonably loud, the following procedures and test measurements, and requirements shall be applied:

(a) Noise occurring within the jurisdiction of the city shall be measured at a distance of at least twenty-five (25') feet from the noise source located within the public right-of-way, and if the noise source is located on private property or property other than the public right-of-way, the noise measurement shall be taken at least twenty-five (25') feet from the property line of the property on which the noise source is located.

(b) The noise shall be measured on the "A" weighing scale on a sound level meter of standard design and quality and properly calibrated.

(c) For purposes of this chapter any measurements made with a sound level meter shall be made when the wind velocity at the time and place of such sound measurement shall not be more than five (5) miles per hour, or twenty-five (25) miles per hour if the measurement is taken with the assistance of a wind screen.

(d) In all sound level measurements consideration shall be given to the effect of the ambient noise level created by the other noises of the environment and shall consider all noise sources at the time and place of the sound level measurement.

(e) Notwithstanding any other provisions to the contrary, no person or organization shall cause, suffer, allow or permit sound from any source which, when measured at the point of the annoyance as stated herein, is in excess of the decibel readings listed on the chart below:

REPETITIONS	COMMERCIAL, INDUSTRIAL or BUSINESS	
Per 24 hr Period	7:00 am-10:00 pm	10:00 pm-7:00 am
CONTINUOUS	Must Comply with OSHA/TOSHA standards	Must Comply with OSHA/TOSHA standards
100	Must Comply with OSHA/ TOSHA standards	Must Comply with OSHA/ TOSHA standards
10	Must Comply with OSHA/ TOSHA standards	Must Comply with OSHA/TOSHA standards
1	Must Comply with OSHA/TOSHA standards	Must Comply with OSHA/TOSHA standards

(2) Exceptions. None of the prohibitions hereof shall apply to or be enforced against:

(a) Utility vehicles. Any utility vehicle while engaged upon necessary public business, so long as the business is being conducted in a reasonable manner.

(b) Repair of streets. Excavation or repairs of bridges, streets or highways at night, by or on behalf of the city, the county or the state, when the public welfare and convenience renders it impractical to perform such work during the daytime.

(c) Non-commercial and non-private use of loudspeakers and amplifiers. Reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by non-profit organizations are exceptions, however, no such use shall be made until a permit therefor is secured from the chief of police. The hours for the use of amplified or public address systems by the nonprofit organization will be designated in the permits and the use of said systems shall be restricted to the hours designated.

(d) Any person or organization operating under a temporary or permanent permit which has been issued under the provisions of this section. A person may apply for a noise exception permit by submitting an application to the Chief of Police for the City of Lebanon upon approved application forms. The application shall denote the time and place of the proposed noise generator, the source of the noise and the purpose for requesting the permit. Two types of permits may be issued by the chief of police, after consultation with the city engineer: A temporary permit which expires five (5) days after

issuance and which is for a specific time and place of operation, or a permanent permit which applies to a permanent location where good cause is shown for the source of sound to exceed the proposed limits stated herein and the chief of police in consultation with the city engineer has determined that no threat to public safety or annoying nuisance shall occur from the issuance of the subject permit. A temporary permit may be issued by the chief of police upon proper application without city council approval. A permanent permit may be issued upon application to the chief of police. (1968 Code, § 10-234, as replaced by Ord. #95-1382, Nov. 1995, and amended by Ord. #02-2318, March 2002)

11-402. Miscellaneous prohibited noises enumerated. (1) The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) Blowing horns. The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle while in motion, except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(b) Radios, phonographs, sound devices. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound either independently or in connection with motion pictures, radio, or television in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of any persons in the hospital, dwelling, hotel, or other type of residence, or of any persons in the vicinity.

(c) Yelling and shouting. Yelling, shouting, whistling, or singing on the public streets, particularly 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, or repose of any persons in the hospital, dwelling, hotel, or other type of residence or of any persons in the vicinity.

(d) Pets. The keeping of any animal, bird or fowl which by causing frequent or long continued noise disturbs the comfort or repose of any person in the vicinity.

(e) Use of vehicle. The use of any automobile, motorcycle, streetcar, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, motor vehicle, or boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(g) Noises near schools and places of assembly. The creation of any excessive noise on any street adjacent to any school, institution of learning, church, or court while in session, or adjacent to any hospital.

(h) Loading and unloading operations. The creation of a loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers during the hours of 11 P.M. to 7:00 A.M.

(i) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, sale, or display of merchandise.

(j) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(k) Loud sound amplification systems in vehicles.

(i) No person operating or occupying a motor vehicle on a street, highway, alley, parking lot, or driveway, whether public or private property, shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle.

(ii) "Sound amplification system" means any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of sound.

(iii) "Plainly audible" means any sound produced by a sound amplification system from within the vehicle which clearly can be heard at a distance of fifty (50) or more feet. Measurement standards shall be by the auditory senses, based on direct line of sight. Words or phrases need not be discernible and bass reverberations are included. The motor vehicle may be stopped, standing, parked, or moving on a street, highway, alley, parking lot, or driveway on either public or private property.

(iv) It is an affirmative defense to a charge under this subsection that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply: medical or vehicular assistance or to warn of a hazardous road condition;

(A) The system was being operated to request (B) The vehicle was an emergency or public safety vehicle;

(C) The vehicle was owned and operated by the City of Lebanon, or a utility, gas, electric, communications, or refuse company; or

(D) The system or vehicle was used in authorized public activities, such as parades, fireworks, sports events, musical productions, the Wilson County Fair, or any activities at the James E. Ward Agricultural Center, and other activities which have the approval of the city council or a department of the city authorized to grant such approval.

(2) Exceptions. None of the terms or prohibitions of this section shall apply to or be enforced against

(a) Utility vehicles. Any utility vehicle while engaged upon necessary public business, so long as the business is being conducted in a reasonable manner.

(b) Repair of streets or public ways. Excavations or repairs of bridges, streets, or highways by or on behalf of the city, Wilson County, or the State of Tennessee, during the night season when the public welfare and convenience renders it impossible to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations.

However, no such use shall be made until a permit therefor is secured from the chief of police in each instance. Hours for the use of such amplifier or public address systems will be designated in the permit so issued and the use of such system shall be restricted to the hours designed in the permit.

(d) Use of loudspeakers or amplifiers for auctions; permits. No person shall use loudspeakers or amplifiers to conduct auctions unless he or she first obtains an annual permit therefor. Permits for the use of loudspeakers or amplifiers shall be obtained from the chief of police.

Each permit shall be valid for one year. Hours for the use of such amplifier or public address systems will be designated in the permit so issued and the use of such system

shall be restricted to the hours designed in the permit. Operators of loudspeakers or amplifiers for the purpose of conducting auctions shall not violate city ordinance provisions concerning noise pollution. (as added by Ord. #02-2318, March 2002)

ARLINGTON

15-928. Unnecessary noise; decibel rating. (1) Definitions. For the purposes of this section, certain words and phrases used herein are defined as follows:

- (a) "Ambient noise" is the all-encompassing noise associated with a given environment being usually a composite of sounds from many sources, near and far.
- (b) "A-weighted level" is the total sound pressure level of all noise as measured with a sound level meter using the A-weighting network. The unit of measurement is the db(A).
- (c) "Band pressure level" of sound for a specified frequency band is the sound pressure level for the sound contained within the restricted band. The reference pressure must be specified.
- (d) "Cycle" is the complete sequence of values of a periodic quantity that occurs during a period.
- (e) "Decibel or dB" is one-tenth of a bel and is a unit of level when the base of the logarithm is the tenth root of ten (10), and the quantities concerned are proportional to power.
- (f) "Sound analyzer" is a device for measuring the band pressure level or pressure spectrum level of a sound as a function of frequency.
- (g) "Sound level meter" is an instrument, including a microphone, an amplifier, an output meter, and frequency-weighting networks for the measurement of noise and sound levels in a specified manner.
- (h) "Sound pressure level," in decibels of sound, is twenty (20) times the logarithm to the base ten (10) of the ration of the pressure of this sound to the reference pressure, which reference pressure is for the purposes of this section a reference pressure of twenty (20) micro-newtons per meter squared. All technical definitions are in accordance with American National Standards Institute S1. 1-1960 entitled "Acoustical Terminology."

(2) Motorized vehicles. It shall be unlawful to operate a motorized vehicle, including, but not limited to, cars, trucks, buses, motorcycles, motorbikes, minibikes, and go-carts, within the Town of Arlington, on private or public property, which creates a noise or sound which exceeds the noise level limits set out in Table 1 below:

TABLE 1. LIMITING NOISE LEVELS FOR MOTOR VEHICLES

Trucks and buses:	Maximum Allowable Limit (dB(A))
Over 10,000 pounds	
Measured at 50 feet	87
Measured at 25 feet	93
Under 10,000 pounds	
Measured at 50 feet	80
Measured at 25 feet	86
Passenger cars:	
Measured at 50 feet	78
Measured at 25 feet	84
Motorcycles, go-carts, trail bikes and other motorized vehicles not classified as trucks or passenger cars:	
Measured at 50 feet	87
Measured at 25 feet	93

(a) The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute. The instrument

shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source and shall not exceed the above levels as measured in any direction. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured.

(b) Measurement of noise levels caused by a moving vehicle shall be confirmed by a noise level measurement taken with the vehicle stationary. The driver of said vehicle shall be required to accelerate his engine to one-half throttle, in order to conduct the noise level reading.

(3) Mufflers. It shall be unlawful for any person to operate or cause to be operated any muffler attached to any motor vehicle or any other mechanized unit which produces noise levels exceeding dB(A) ratings as set out in Table 1 and accompanying subsections above.

(4) Horns and other warning devices generally. It shall be unlawful for any person to operate or cause to be operated any horn, siren, whistle, bell or any electronic blast which may be attached to any motor vehicle or other mechanized unit which is in any manner inconsistent with § 15-915.

(5) Trains. It shall be unlawful for any person to operate or cause to be operated a warning device of any type, including, but not limited to, a whistle, horn or electronic blast, on trains or vehicles which operate on stationary rails in excess of eighty-seven (87) dB(A) at fifty (50) feet (Table 1 above) for a sustained period of more than thirty (30) seconds, except as may be required by any federal safety regulation requiring sounding of warning signals at grade crossings.

(6) Manner of enforcement. Violations of this section shall be prosecuted in the same manner as other offense violations of the ordinance comprising this chapter, and shall be initiated upon issuance of a traffic citation after verification by an officer using a sound meter.

(7) Exemptions. The following uses and activities shall be exempt from noise level regulations:

(a) Ambulance, whether owned by private company or government operated, while upon call to scene of accident or emergency situation.

(b) Vehicles used as garbage collection trucks while in performance of duties and used for either loading or processing of garbage and debris, whether privately owned or government operated.

(c) County or town fire equipment upon emergency call and return.

(d) Arlington Police, Shelby County Sheriff's equipment, and/or other city, county, state and federal law enforcement equipment, upon emergency call.

(e) Vehicular equipment used in connection with removal of trees, brush, undergrowth, etc., whether privately owned or government operated.

(f) All of the above-mentioned vehicles, with the exception of county fire equipment, shall be required to maintain mufflers and related equipment within the noise level regulations contained in this section. (Ord. #1997-14, Oct. 1997)

DAYTON

16-310. Conditions for granting permit. (1) A condition to granting the permit the special events committee may impose reasonable terms and regulations concerning the time and place of the event; the area and manner of conducting the event; the maximum number of persons participating therein; the regulation of traffic, if required, including the number and type of vehicles, the number and type of signs and barricades to be provided by the applicant, if any,

together with a plan of their disposition attached to the application; permissible decibel levels; and such other requirements as it may find reasonable and necessary for the protection of persons and property.

(2) The special events committee may require applicant to compensate the city for incidental costs such as utility charges and increased fire and police protection. Permittee, as a condition to granting the permit, agrees to bear these costs.

(3) As an additional condition to granting the permit, applicant shall be required to ensure that participants and spectators of the special event abide by the rules and regulations of this code and all other applicable local, state, and federal laws.

(4) The city police department has the authority to stop a special event at any time it determines the public safety is in jeopardy.

(5) Applicant is prohibited from charging any spectator a fee for observing a special event at the beach unless approved in writing by the city manager.

(6) Applicant may request a waiver of any condition set forth herein or otherwise found in this code in accordance with procedures allowing the waiver to be granted. (1988 Code, § 12-310)

ALCOA

11-302. Anti-noise regulations. Subject to the provisions of this section the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of an individual, or in disturbance of the public peace and welfare, is prohibited.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) Blowing horns. The sounding of any horn or signal device on any automobile, motorcycle, bus, truck, or other vehicle while not in motion, except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonable loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, stereo, compact disc player, or any musical instrument or sound device, including but not limited to loud speakers or other devices for reproduction or amplification of sound, either independent of or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of persons in any office or hospital or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets at any time or place so as to annoy or disturb the quiet, comfort, or repose of any person in any hospital, dwelling, hotel or other type of residence, or of any person in the vicinity.

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

(e) Uses of vehicle. The uses of any automobile, motorcycle, truck or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noise.

(f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request to proper municipal authorities.

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 A.M. and 6:00 P.M. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with the permit from the building inspector granted for the period while the emergency continues not to exceed thirty (30) days. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M. and if he should further determine that loss or inconvenience would result to any party in the interest through delay, he may grant permission for such work to be done the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time that the permit for the work is awarded or during the process of the work.

(i) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading and unloading of any vehicle or the opening and destruction of bales, boxes, crates and other containers.

(j) Noises to attract attention. The use of any drum, loud speaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale, or display of merchandise.

(k) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or any moving or standing vehicles for advertising or other purposes.

(2) Exceptions. None of the terms or prohibitions here shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the municipality while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the municipality, the county, or the state, when the public welfare or convenience renders it impractical to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations.

However, no such use shall be made until a permit therefor is secured from the city recorder as provided for herein. Hours for the use of an amplifier or public address system will be designated in the permit so issued and the uses of such systems shall be restricted to the hours so designated in the permit as provided for herein.

(3) If a particular activity is authorized herein upon application for, and obtaining, a permit from the city recorder, any person seeking such a permit must file with the city recorder a registration statement in writing. This registration statement shall be filed in duplicate and shall state the following:

(a) Name and home address of the applicant.

(b) Address of place of business of applicant.

(c) License number and motor number of the sound truck, amplifiers or loudspeakers to be used by applicant.

(d) Name and address of person who own the sound truck, amplifiers or loudspeakers.

(e) Name and address of person having direct charge of sound truck, amplifiers or loudspeakers.

(f) Names and addresses of all persons who will use or operate the sound truck, amplifiers or loudspeakers.

- (g) The purpose for which the sound truck, amplifiers or loudspeakers will be used.
- (h) A general statement as to the section or sections of the city in which the sound truck, amplifiers or loudspeakers will be used.
- (i) The proposed hours of operation of the sound truck, amplifiers or loudspeakers.
- (j) The number of days for the proposed operation of the sound truck, amplifiers or loudspeakers.
- (k) A general description of the sound amplifying equipment which is to be used.
- (l) The maximum sound producing power of the sound amplifying equipment in or on the sound truck, amplifiers or loudspeakers. State the following: The wattage to be used, the volume in decibels of the sound which will be produced, and the approximate maximum distance for which sound will be thrown from the sound truck, amplifiers or loudspeakers. Any such registration statement shall be amended by the person who has submitted the registration statement forty-eight (48) hours after any change in the information therein furnished. The city recorder shall return to each applicant one (1) copy of said registration statement duly certified by the city recorder as a correct copy of said application. Said certified copy of the application shall be in the possession of any person operating the sound truck, amplifier or loudspeaker at all times while the amplification equipment is in operation, and said copy shall be promptly displayed and shown to any policeman of the City of Alcoa upon request. (Ord. #986, July 1995)