

- CODE OF ORDINANCES
Chapter 42 - ENVIRONMENT
ARTICLE II. - NUISANCES

DIVISION 3. NOISE

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Sec. 42-86. Prohibited generally.

It shall be unlawful for any person to make or cause to be made any unreasonably loud noises in the City.

(Code 1993, § 20-40)

Sec. 42-88. Concert halls, dance halls, etc.

It shall be unlawful for any person to open or maintain any concert hall, dance hall or other building, room or place which by reason of loud, continuous, unpleasant or unseemly noises shall be or become a nuisance to the neighbors or passersby. Upon complaint by three or more substantial citizens, it shall be the duty of the chief of police or of the city clerk and treasurer to notify the owner, lessee or occupant of such place or his agent forthwith to abate such nuisance. It shall be the duty of the person to whom such notice is given forthwith to obey the terms thereof by abating such nuisance. It shall be lawful for the chief of police or for any other person designated by the mayor or by the court to order any person then occupying such concert hall, dance hall or other such place forthwith to vacate the place, and it shall be the duty of such occupants immediately to obey such order.

(Code 1993, § 20-42)

Sec. 42-90. Music, sound volume control.

- (a) Excessive music and musical sounds emanating from vehicles or structures are specifically declared to be a hazard to the public. Excessive music and musical sounds are defined in terms of how far one can hear the sounds and music.
- (b) It shall be unlawful for music and musical sounds to be allowed to emanate from a structure in such a manner that any music or like sounds are audible past the distance of 100 linear feet as measured from the closest part of the structure from which the sound is emanating. Music and musical sounds are those which are made by or coming from any electronic equipment, records, compact discs, radios, televisions, speakers, recorders, stereos and other similar type equipment or devices or their component parts. This subsection applies to the person operating such musical devices or equipment, and/or those in charge of the premises, and/or the owner of the premises, if the owner has knowledge of complaints about excessive music or sounds, as proscribed in this section.
- (c) It shall be unlawful for music or like sounds to emanate from any vehicle, whether parked or moving along the by-ways of the city or on other public property or private property where such music or musical sounds is audible for a distance of 100 feet or greater, measured from the closest point of such vehicle.
- (d) Music and like sounds emanating from a pedestrian music box, radio, stereo or similar equipment is hereby declared illegal where such music can be heard from a distance greater than 50 feet.

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- (e) Specifically exempted from this section are belfries, police or other emergency vehicles which may in some fashion use musical notes for the warning of a hazard or for the identification of their function, street dances specifically permitted through the city, musical performances as part of sports activities, open-air concerts as permitted or sponsored by the city, and special events which include fairs, carnivals, promotions and parades.
- (f) Musical sounds are those sounds associated with music or professed to be music whether such sounds are pleasurable or otherwise. The purpose of this section is to regulate excessive sounds and not to regulate music.
- (g) The city police department shall have jurisdiction in the enforcement of this section and shall enforce this law as in other criminal cases where the municipal court has jurisdiction.
- (h) All persons violating this section shall be prosecuted in municipal court and punished as provided in section 1-14. Charges shall be issued upon uniform traffic ticket forms or uniform warrant forms at the discretion of the one bringing charges.

(Ord. No. 90-26, §§ 1—7, 9-10-1990; Ord. No. 92-04, § 8, 3-9-1992)