

CHAPTER 75: MOTOR VEHICLE NOISE CONTROL

Section

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§ 75.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A-WEIGHTED SOUND LEVEL. The sound level as measured with a sound level meter using the A-weighting network. The standard notation is db(A) or dBA.

AMBIENT SOUND PRESSURE LEVEL. The sound pressure level of the all-encompassing noise associated with a given environment, usually a composite of 90% of the time based on a measurement period of not less than ten minutes or more than 30 minutes.

DECIBEL. Logarithmic and dimensionless unit of measure used in describing the amplitude of sound. ***DECIBEL*** is denoted as ***dB***.

EMERGENCY VEHICLE. A motor vehicle used in response to a public calamity or to protect persons or property from an imminent exposure to danger.

FARM MACHINERY. Includes agricultural tractors, self-propelled agricultural machines and any implement used in connection therewith.

MOTOR VEHICLE. Any vehicle which is self-propelled by mechanical power, including, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, motorcycles, mini-bikes, go-carts and racing vehicles.

MUFFLER. An apparatus consisting of a series of chambers or baffle plates designed for the purpose of transmitting gases while reducing sound emanating from such apparatus.

NOISE. Any sound which is unwanted or which causes or tends to cause an adverse physiological or psychological effect on human beings.

SOUND. Mechanical energy transmitted by a cyclic series of compressions and rarefaction of molecules of the material or materials through which it passes.

SOUND LEVEL METER. An instrument, including a microphone, amplifier, RMS detector and integrator or time average, output meter and/or visual display and weighing networks, used to measure sound levels. The ***SOUND LEVEL METER*** shall conform as a minimum to the requirements of ANSI S 1.4-1971 Type 2 or its successor publication; and to be set to an A-weighted response. An acoustical calibrator accurate to within plus or minus one decibel shall be used to verify the before and after calibration of the ***SOUND LEVEL METER*** on each day noise measurements are taken.

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SOUND PRESSURE. The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound.

SOUND PRESSURE LEVEL. Twenty times the logarithm to the base ten of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals. The sound pressure is denoted "Lp" or "SPL."
(Prior Code, § 10.12.010)

§ 75.02 SOUND LEVEL RESTRICTIONS.

(A) No person shall drive, move, operate, cause, or knowingly permit to be driven or moved a motor vehicle or combination of vehicles, within the city limits at any time in such a manner as to exceed the following noise limits for the category of motor vehicle shown below.

(B) The standard measurement height shall be not less than four feet above the immediate surrounding surface and the measurement distance not less than 25 feet.

(1) Motor vehicles with a manufacturer's gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,000 pounds or more, or any combination of vehicles towed by such motor vehicle with sound level dB(90);

(2) Motorcycles with sound level dB(80); and

(3) Any other motor vehicle or any combination of vehicles towed by any motor vehicle with sound level dB(80).
(Prior Code, § 10.12.020) Penalty, see § 75.99

§ 75.03 APPLICABILITY.

The foregoing section shall apply to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this title relating to motor vehicle mufflers for noise control. (Prior Code, § 10.12.030)

§ 75.04 EXHAUST SYSTEM REQUIREMENTS.

No person shall operate or cause to be operated any motor vehicle within the city limits unless the exhaust system of such vehicle is:

(A) Free from defects which affect sound reduction;

(B) Equipped with a muffler or other noise dissipative device;

(C) Not equipped with any cut-out, by-pass or similar device; and

(D) Not modified in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by a muffler of the type originally installed on the vehicle.
(Prior Code, § 10.12.040) Penalty, see § 75.99

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§ 75.05 SOUND LEVEL MEASUREMENT.

Sound level measurement shall be made with a sound level meter Type II or better using the "A" weighted scale, in accordance and conforming with the standards promulgated by the American National Standards Institute.
(Prior Code, § 10.12.050)

§ 75.06 RADIOS AND STEREO RECEIVER RESTRICTIONS.

No person shall use, operate or permit the use or operation of any radio receiving set, phonograph, stereo receiver, tape deck or other machine or device for the production or reproduction of sound between the hours of 10:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at 50 feet from such device which is being operated from within or attached to a motor vehicle which is traveling or parked on a public right-of-way.

(Prior Code, § 10.12.060) Penalty, see § 75.99

§ 75.07 EXCEPTIONS.

This chapter shall not apply to the operation of emergency vehicles or farm machinery.

(Prior Code, § 10.12.070)

§ 75.99 PENALTY.

(A) Any person violating any provision of this chapter may be punished by a fine of not more than \$500. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(B) Violations of §§ 75.02 through 75.07 are deemed and declared to be a nuisance and as such may be subject to summary abatement by means of a restraining order or injunction issued by a court of competent jurisdiction.

(Prior Code, § 10.12.080)