

23.06 - ANIMAL NOISE.

- (a) It is unlawful for any person(s) to own any animal which by its barking, howling, baying, squealing, crowing, crying, bleating, screeching, or making any other noise by its volume or frequency unreasonably disturbs or interferes with the peace of any person(s) for more than fifteen minutes in any one-hour period of any day, and is documented by three or more separate episodes of such noise in a sequential seven-day period.
- (b) The burden is upon the owner of such animal(s) to maintain quiet.
- (c) Exceptions to this subsection are farm animals in permitted zones, commercial pet facilities, animal welfare facilities, veterinary hospitals, or grooming parlors otherwise in compliance with the City of Cedar Rapids Municipal Code including, but not limited to those who can substantiate that such animal noise was caused by an injury or illness of the animal(s) or by willful trespass, torment, or abuse of the animal(s) on its property by others.
- (d) Enforcement may be undertaken only upon written receipt of a complaint made to either the animal control authority or law enforcement by a person(s) residing at or who is employed in an area affected by such public noise disturbance.
- (e) Any such animal(s) shall be deemed a nuisance and may be seized and impounded, if the disturbance reoccurs after the owner or custodian of such animal(s) has received two written warnings from either the animal control authority or law enforcement within a calendar year.
- (f) Violators will be subject to City of Cedar Rapids Ordinance 56.02 and/or 62.01(b)(2011) and any other applicable ordinances.

(061-11)

55.11 - EXCESSIVE NOISE.

No one shall use a boat propelled in whole or in part by gas, gasoline, or naphtha unless the same has a stock factory muffler, underwater exhaust, or device such that the motor exhaust is at all times muffled or suppressed to not create excessive noise. No boat propelled by airplane type propellers shall be operated without adequate and proper safeguards to prevent damage or injury by rotating propeller. All boats shall comply with all other noise ordinances of the City of Cedar Rapids. Boats participating in races approved by the Parks, Waterways & Recreation Commission are excepted from the requirements of this section and of other noise ordinances.

(044-14)

CHAPTER 56 - MOTOR VEHICLE NOISE AND NOISE LIMITS FROM CERTAIN SOUND SOURCES

56.01 - DEFINITIONS.

The following definitions shall be used in this chapter:

- (a) Decibels. A unit for measuring the volume of sound, equal to, 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
- (b) A-Weighted Sound Level. The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dBA.

- (c) Sound. An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces which cause compression and rarefaction of that medium. The description of sound may include any characteristic of sound, including duration, density, and frequency.
- (d) Sound Level Meter. An instrument used to measure sound pressure.
- (e) Sound Level. The weighted sound pressure level contained by the use of the sound level meter and A-weighting network, such as a, b, or c as specified in American National Standards Institute Specifications for Sound Level Meters, ANSI S1, 4-1971, on file in the office of the City Clerk and marked "Exhibit A." If the frequency weighting employed is not indicated, the A-weighting shall apply.
- (f) 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 energy.
- (g) Sound Pressure Level. Twenty times the logarithm to the base 10 of the ratio of the root mean squared sound pressure to the reference pressure of 20 micropascals.
- (h) Gross Vehicle Weight Rating. The value specified by the manufacturer as the recommended maximum weighted load of a single motor vehicle. When trailers and tractors are separable, the gross combination weight rating is the value specified by the manufacturer as the recommended maximum loaded weight of the combined vehicle.
- (i) Motor Vehicle. Every vehicle which is self-propelled.
- (j) Exhaust System. The device or combination of devices that collects the exhaust from the engine or motor, delivers the exhaust to the atmosphere, and reduces the noise emissions. Exhaust system includes manifold or headers, exhaust pipe, muffler, and tail pipe.
- (k) Real Property Boundary. An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intra-building real property divisions.
- (l) Receiving Land Use. For purposes of this chapter, the use or occupancy of the property which receives the transmission of sound.
- (m) Residential or Residential District. Any property on which is located a building or structure used wholly or partially for living or sleeping purposes. This definition shall not include park custodial residences or school or college dormitories.
- (n) Commercial or Commercial District. Any property which is zoned for any commercial use as defined in the Cedar Rapids Zoning Ordinance, and on which there is no residential use.
- (o) Industrial or Industrial District. Any property zoned for any industrial use as defined in the Cedar Rapids Zoning Ordinance, and on which there is no commercial use or residential use.
- (p) Used or Occupied. For purposes of this chapter, where it appears, either word shall be deemed to include the words "intended, designed, or arranged to be used or occupied."
- (q) Noise Disturbance. For purposes of this chapter, any transmission of sound across a real property boundary from a source specifically limited by this chapter, which exceed the sound level limits set forth in Table 1 entitled "Maximum Permissible Sound Levels from Limited Sources by Receiving Land Use."

Table 1
Maximum Permissible Sound Levels From Limited Sources by Receiving Land Use

| Zoning Category of Receiving Land Use | Legal Time | Sound Level Limit (dBA) |
|---------------------------------------|------------|-------------------------|
|---------------------------------------|------------|-------------------------|

| | | |
|---------------------|-------------------|----|
| Residence District | 7 a.m. to 10 p.m. | 60 |
| | 10 p.m. to 7 a.m. | 50 |
| Commercial District | At all times | 65 |
| Industrial District | At all times | 75 |

(20-83)

56.02 - NOISE PROHIBITIONS AND LIMITED SOUND SOURCES.

The following sound sources are limited by this chapter.

- (a) No person shall perform, create, cause, or permit a radio, television set, musical instrument, or any other device to produce, reproduce, or amplify sound to create a noise in excess of 86 dBA at 25 feet from such device when operated on a motor vehicle.
- (b) No person shall use a muffler cutout, bypass, or similar device on a motor vehicle on a public highway.
- (c) Every motor vehicle shall be at all times equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. (The intent of this provision is that it is necessary to prevent both noise and smoke, and either one constitutes a violation.) Noise which is measured at a distance of at least 25 feet from the near side of the nearest lane being monitored at a height of at least 4 feet above the immediate surrounding surface as follows shall be excessive or unusual noise:

| Motor Vehicle Designation | Speed of 35 MPH or less | Speed over 35 MPH |
|---|-------------------------|-------------------|
| Motor vehicles or a combination of vehicles towed by a motor vehicle with a manufacturer's gross vehicle rating or gross combination weight rating of 10,000 pounds or more | 90 dBA or more | 94 dBA or more |
| Any other motor vehicle or any combination of vehicles towed by any motor vehicle | 80 dBA or more | 84 dBA or more |

- (d) Sound level measurement from limited sound sources, for purposes of this chapter, shall be measured using a sound level meter at the real property boundary of the receiving property, or at a point reasonably proximate to the real property boundary and shall be measured at a height of 4 feet above the immediate ground surface.

- (e) Animals and Birds. No person shall own, possess or harbor any animal or bird which frequently or for continued duration emits sounds native to the species which are a noise disturbance. Excepted from the provisions of this subsection are guide dogs for the blind and the deaf.
- (f) Radios, Televisions, Phonographs, etc. No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces or amplifies sound at a sound level which creates a noise disturbance.

Church or clock carillons, bells or chimes; parades or processions, provided the conditions of the permit are met; mobile radio or telephone signal devices; and sanctioned racing events, are all excepted from the provisions of this subsection.

- (g) Lawnmowing Equipment. No person shall use or operate or permit the use or operation of a power lawn mower, power trimmer or other gasoline or electric powered device intended for mowing or trimming a lawn between the hours of 10:00 p.m. and 7:00 a.m. the following morning if such use or operation creates a noise disturbance as defined in this chapter.

No person shall use or operate or permit the use or operation of a gasoline powered lawn mower which does not have a muffler if such use or operation creates a noise disturbance as defined by this chapter.

- (h) Chain Saws. No person shall use or operate or permit the use or operation of a power chain saw between the hours of 10:00 p.m. and 7:00 a.m. the following morning if such use or operation creates a noise disturbance as defined in this chapter.
- (i) Solid Waste Collection and/or Hauling Equipment. No person shall use or operate or permit the use or operation of any solid waste collection and/or hauling equipment between the hours of 10:00 p.m. and 7:00 a.m. the following morning if such use or operation creates a noise disturbance as defined in this chapter.
- (j) Governmental fire department equipment, and devices used by emergency vehicles or by governmental officials or organizations for authorized public purposes, are exempt from the provisions of this chapter. (20-83)
- (k) No person shall operate, play or permit the operation or playing of any radio, tape deck or player, sound amplifier or similar device which produces, reproduces or amplifies sound in a motor vehicle so as to create a sound 50 or more feet from the device which endangers or injures the welfare, safety or health of a human being, or disturbs a reasonable person of normal sensitivities, or devalues or injures personal or real property.

(20-83, 54-94)

56.03 - ENFORCEMENT.

The provisions of this chapter which prohibit the making, continuing, or causing the making or continuance of a noise disturbance may be enforced upon receipt of a complaint made or filed with city officials by a person disturbed by such noise disturbance. Certification by an official charged with enforcement of the provisions of this chapter that such complaint was made shall be sufficient to establish the fact of the complaint. However, peace officers may enforce violations of this chapter without the necessity of a complaint if sufficient evidence exists in the judgment of the peace officer to establish a violation of the provisions of this chapter.

(27-97)