

8.25.060 Noise disturbance.

A. It is unlawful for any person to make, continue, cause to be made, or to allow to originate from real property in the possession of said person, in private rights-of-way, or in public rights-of-way, any sound which creates a noise disturbance.

B. For the purposes of this section, the following sounds are declared to be noise disturbances:

1. Sounds created by use of a radio, television set, musical instrument, sound amplifier or any other device capable of producing or reproducing sound, which emanate frequently, repetitively or continuously from any building, structure or property located within a residential area, and which annoy or disturb the peace, comfort or repose of a reasonable person of normal sensitivity;

2. Any other sound occurring frequently, repetitively or continuously which annoys or disturbs the peace, comfort or repose of a reasonable person of normal sensitivity. This section shall not apply to noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way for which a permit has been obtained. Additionally, this section shall not apply to noises produced by dogs, which is addressed in SVMC 6.05.070(K)(4).

C. Exemptions.

1. The following shall be exempt from the provisions of this chapter:

- a. Sounds created by motor vehicles when regulated by Chapter 173-62 WAC;
- b. Sounds originating from aircraft in flight and sounds that originate at airports which are directly related to flight operations;
- c. Sounds created by surface carriers engaged in commerce or passenger travel by railroad;
- d. Sounds created by warning devices not operating continuously for more than five minutes, or bells, chimes or carillons;
- e. Sounds created by safety and protective devices where noise suppression would defeat the intent of the device or is not economically feasible;
- f. Sounds created by emergency equipment and work necessary in the interest of law enforcement or for health, safety or welfare of the community;
- g. Sounds originating from officially sanctioned parades and other public events;
- h. Sounds emitting from petroleum refinery boilers during startup of the boilers; provided, that the startup operation is performed during daytime hours whenever possible;
- i. Sounds created by watercraft, except to the extent that they are regulated by other City or state regulations;
- j. Sounds created by motor vehicles licensed or unlicensed when operated off public highways, except when such sounds are made in or adjacent to residential property where human beings reside or sleep;
- k. Sounds originating from existing natural gas transmission and distribution facilities;
- l. Sounds created in conjunction with public work projects or public work maintenance operations executed at the cost of the federal government, state or municipality;
- m. Sounds created in conjunction with the collection of solid wastes;
- n. Sounds created in conjunction with military operations or training;

- o. Sounds originating from organized activities occurring in public parks, playgrounds, gymnasiums, swimming pools, and other public recreational facilities during hours of operation;
- p. Sounds originating from agricultural activities.

2. The following shall be exempt from provisions of this chapter between the hours of 7:00 a.m. and 10:00 p.m.:

- a. Sounds originating from residential property relating to temporary projects for the repair or maintenance of homes, grounds and appurtenances;
- b. Sounds created by the discharge of firearms on authorized shooting ranges;
- c. Sounds created by blasting;
- d. Sounds created by aircraft engine testing and maintenance not related to flight operations; provided, that aircraft testing and maintenance shall be conducted at remote sites whenever possible;
- e. Sounds created by the installation or repair of essential utility services.

3. The following shall be exempt from the provisions of this chapter between the hours of 7:00 a.m. and 10:00 p.m., or when conducted beyond 1,000 feet of any residence where human beings reside and sleep at any hour:

- a. Sounds originating from temporary construction sites as a result of construction activity;
- b. Sounds originating from forest harvesting and silvicultural activity;
- c. Sounds originating from the quarrying, blasting and mining of minerals or materials, including, but not limited to, sand, gravel, rock and clay, as well as the primary reduction and processing of minerals or materials for concrete batching, asphalt mixing and rock crushers;
- d. Sounds originating from uses on properties which have been specifically conditioned to meet certain noise standards by an appropriate City hearing body.

D. Violation – Misdemeanor – Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor. (Ord. 05-009 § 2, 2005; Ord. 04-030 § 2, 2004).