



Ordinance #2016-O-01

This ordinance establishes the regulations for any noise affecting normal sensitivities within the Town of Camden. This ordinance shall supersede Town of Camden Ordinance #2008-O-09 and any other ordinance pertaining to noise that may have been adopted prior to the effective date of this document.

Be it ordained by the Mayor and Council of the Town of Camden as follows:

Section 1 Excessive noise prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary, or unusually loud noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of a reasonable person or persons of normal sensitivities.

Section 2 Specific acts constituting offenses

The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this ordinance, but enumeration herein below shall not be deemed to be exclusive:

- A. The sounding of any horn or signaling devices on any vehicle on any street or public place within the Town of Camden, except as a danger warning; the creation by means of any such signaling devices of any unreasonably loud or harsh sound; and the sounding of any device for an unnecessary and unreasonable period of time.
- B. The using, operating, or permitting to be played, used, or operated any radio, stereo, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such radio, stereo, musical instruments, phonograph, loudspeaker, sound amplifier, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of 50 feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section unless exempted under Section 4 of this ordinance.
- C. Any unreasonable noise such as, but not limited to; yelling, screaming, hollering, shouting, hooting, whistling, or singing, beating or thumping particularly between the hours of 10:00 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 persons in any office, or in any dwelling or residence, or of a reasonable



- person or persons of normal sensitivities.
- D. The keeping of any animal which by causing frequent or long continued noise shall disturb the comfort or repose of a reasonable person or persons of normal sensitivities.
 - E. The operation of construction equipment such as road graders, pavers, large trucks, bucket loaders, roller mixers, or similar equipment, is prohibited between the hours of 10:00 p.m. and 7:00 a.m. unless approved by the Town of Camden
 - F. No business or commercial facility shall routinely emit sound or vibration which is discernible without instruments at the adjoining property line.

Section 3 Enforcement action.

A violation of this ordinance will constitute a first offense and shall result in a warning issued by the investigating police officer. Any subsequent violation(s) when committed at the same location by the same person(s), shall result in criminal action against the offender(s).

Section 4 Exceptions

- A. Cries for emergency assistance and warning calls.
- B. Radios, sirens, horns and loudspeakers on police, fire, and other emergency vehicles.
- C. Parades, fireworks displays and other special events for which a permit has been obtained from the Town within such hours as may be imposed as a condition for the issuance of the permit.
- D. Fire alarms and burglar alarms, prior to the giving of notice and reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm.
- E. Religious worship activities, including, but not limited to, bells and organs.

Section 5 Violations and penalties.

- A. Any person, firm, association, or corporation violating the provisions of the ordinance, upon conviction before any court of competent jurisdiction, shall be fined not less than \$100 nor more than \$250, plus costs, for each offense.
- B. The Justice of the Peace Court shall have original jurisdiction to adjudicate violations of this ordinance.

Section 6 Defense to violation.



It is an affirmative defense to a charge under this ordinance that the excessive noise was not otherwise prohibited by law, and that any of the following apply:

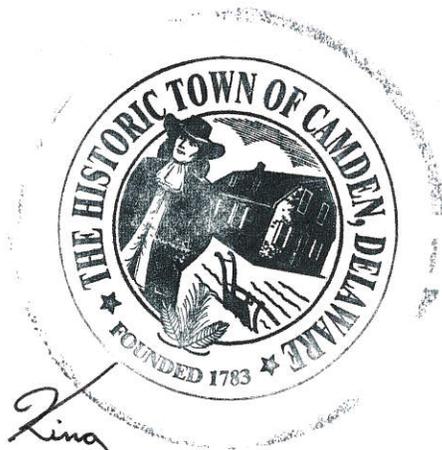
- A. The sound system was being operated to request emergency assistance or to warn of a hazardous condition;
- B. The sound was emitted by a vehicle or device owned or operated by the Town of Camden or a public utility company, and the noise was emitted in connection with municipal or utility operations; or
- C. The vehicle or device transmitting the sound was used in authorized public activities, such as parades, fireworks, sporting events, musical productions and other activities approved by the Town of Camden.

ENACTED AND ORDAINED THIS 11th DAY OF JULY, 2016.

APPROVED AS TO FORM:

[Handwritten signature]

Town Solicitor



Justin T. King

Mayor Justin T. King

[Handwritten signature]

Councilman

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Councilman

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Councilman

[Handwritten signature]

Councilwoman

ATTEST:

[Handwritten signature]

Town Manager

1st Reading: June 6th 2016
 2nd Reading: July 11th 2016
 Public Hearing: July 11th 2016
 Adopted: July 11th 2016