

Noise Prohibited Generally

Purpose

Pursuant to the authority vested in the Town by RSA 31:39, I(n), the Town enacts the following to regulate noise.

Definition

It shall be unlawful for any person occupying or having charge of any building or premises or any part thereof in the Town of Sutton, to make, continue, or cause to be made or continued any unreasonably loud noise which either disturbs, injures, or endangers the comfort, repose, health, peace or safety of others, within the limits of the town.

Such acts committed between the hours of 10:00pm and 7:00am Monday through Saturday and 10:00pm on Saturday and 10:00am on Sunday shall constitute prima facie evidence of a violation of this ordinance.

Exceptions to the Chapter Provisions

The following uses and activities shall be exempt from the provisions of this chapter:

Noise of safety signals, warning devices, and emergency pressure relief valves.

Noises resulting from any authorized vehicle, when responding to an emergency call or acting in time of emergency.

Noises resulting from emergency maintenance work as performed by the town, by the state, or by public utility companies, to include snow removal operation.

Municipal maintenance work where the abutters to the work site have been given prior notice of the project.

Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the town, this includes, the preparing, loading and unloading of construction vehicles at their base of operation.

Snow blowers and other types of private or commercial snow removal operations.

Parades and public gatherings for which the town has issued a permit.

Specific Violations Enumerated

The following acts, among others, are declared to be unreasonably loud, disturbing and unnecessary noises in violation of this chapter, but the enumeration shall not be deemed to be exclusive, namely:

Schools, churches

The creation of any excessive noise on any street within 500 feet any school, institution of learning, or church while the same are in use, which unreasonably interferes with the workings of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school, court or church street. The prohibition shall not include any construction company or town crew engaged in the construction or repair of any sidewalk, roadway, or building provided the required permits have been lawfully obtained from the Board of Selectman.

Horns, signaling devices, etc.

The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle except as a danger warning; the creation by means of any signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle or other device operated by engine exhaust; and use of any such signaling device when traffic is for any reason held up.

Loudspeakers, amplifiers for advertising

The using, operating or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure in such a manner that the reasonable peace and good order of the neighborhood is disturbed or that persons, owning, using, or occupying property in the neighborhood are unreasonably disturbed.

Parties

Hosting a party which creates unreasonably loud noises caused by stereos, bands, musical instruments or guests at any time or place where the noise disturbs the quiet, comfort, or repose of persons in any office, dwelling, hotel or private residence or of any person in the vicinity thereof or in any public place.

Radios, stereos, etc.

The using, operating or permitting to be played, used or operated of any radio, receiving set, musical instrument, stereos, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the reasonable peace, quiet and comfort of the neighboring inhabitants.

Yelling, shouting, etc .

Yelling or shouting on the public streets, at any time or place so as to unreasonable disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or any other type of residence, or of any persons in the vicinity thereof.

Operating or use of construction vehicles and tools, etc

Within the time periods stated above:

Construction vehicles included but not limited to bulldozers, graders, dump trucks, backhoes, earth moving equipment, front end loaders and timber harvest equipment.

Construction equipment to include but not limited to cement mixers, hammers, staple or nail guns, power tools: i.e., saws, drills, grinders, sanders, chain saws, lawn mowers, electric hedger trimmers, lawn edgers, and jack hammers.

Penalty

Violation of this ordinance will result in a fine of not more than five hundred dollars (\$500.00).