

TOWN OF WEBSTER NOISE REGULATION ORDINANCE

SECTION 1: AUTHORITY, PURPOSE, AND SCOPE

1.1: Authority: By authority of NC General Statute §160A-174, the Town of Webster hereby places this ordinance in effect to promote and protect the public health, safety, and welfare of the citizens and visitors to Webster, and for the peace of the town.

1.2: Purpose: The purpose of this ordinance is to protect and enhance the quality of the commercial and residential environment by restricting the emission of noise or amplified speech, music, or other sounds that might tend to annoy, disturb, or frighten the citizens of or visitors to the Town of Webster. In particular, this restriction of Unreasonably Loud and Disturbing Noise during night time hours is necessary for the quiet enjoyment of town residents.

1.3: Scope: The scope of this ordinance deems it unlawful for any person to create or assist in creating unreasonably loud, disturbing sound levels within the Town of Webster. Consideration is given to the volume, duration, frequency, and other characteristics of the sound. Unreasonably Loud and Disturbing Noise shall be restricted between the hours of 10 p.m. and until 8 a.m.

SECTION 2: GENERAL PROVISIONS

The following provisions are considered Unreasonably Loud and Disturbing Noise; however, these provisions are not exclusive, nor are violations limited to this list:

2.1: Musical instruments or sound amplification equipment: All musical or amplified sound of any kind that can be heard from an adjoining property.

2.2: Speech or electronic sounds: All speech or electronic sounds, be it amplified or not, that can be heard from an adjoining property.

2.3: Animal Noises: The keeping of animals or birds which make frequent or continuous loud sounds which would disturb persons in the vicinity of the animal, such that a reasonably prudent person would recognize the sounds as disturbing.

2.4: Vehicles: Vehicles or motorcycles that are in such disrepair or modified in such a manner as to create unreasonably loud or disturbing sounds.

2.5: Unmuffled Engine Compression Brakes: Engine compression brakes are defined as a device primarily on large trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes. Use of unmuffled engine compression brakes is prohibited within town

limits unless necessary to avoid imminent danger, such as an emergency situation to avoid a collision with another object, person or vehicle.

SECTION 3: PENALTY FOR VIOLATIONS

Violations of any provision of this ordinance may result in the person(s) being charged with a civil fine or with a criminal misdemeanor under provision of NC General Statute § 14-4.

3.1: Civil Fine: Person(s) who are charged with violating this ordinance shall receive a civil fine of \$75.00 for the first violation. A second violation within 365 days from the first violation will be charged a civil fine of \$150.00, and the fine for each additional violation shall increase by \$75.00 per violation for 365 days following the first violation.

3.2: Criminal Misdemeanor: Person(s) who are charged with violating this ordinance may be charged with a criminal misdemeanor.

This ordinance shall be in full force and effect upon adoption and shall replace any previous ordinances referencing noise regulation.

Adopted on this, the _____ day of _____, 20____.

FOR THE TOWN OF WEBSTER, NORTH CAROLINA:

TRACY RODES, MAYOR

Attest:

Debra B. Coffey, Town Clerk