

## Chapter 99

### NOISE

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden 5-19-1998 by L.L. No. 3-1998. Amendments noted where applicable.]

#### GENERAL REFERENCES

Animals — See Ch. 53.  
Curfew — See Ch. 75.

Peace and good order — See Ch. 108.  
Snowmobiles — See Ch. 124.

#### § 99-1. Legislative intent.

The making and creating of disturbing, excessive or offensive noises within the jurisdictional limits of the village is a condition which has persisted, and the level and frequency of occurrences of such noises continues to increase. These noise levels are a detriment to the public health, comfort, convenience, safety and welfare of the citizens. Every person is entitled to an environment in which disturbing, excessive or offensive noise is not detrimental to his or her life, health or enjoyment of property. This chapter is to be construed liberally, but it is not intended to be construed so as to discourage legitimate business interests or the enjoyment by residents of normal, reasonable and usual activities.

#### § 99-2. Unreasonable noise prohibited.

- A. No person, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall cause, suffer, allow or permit to be made unreasonable noise. For purposes of this chapter, "unreasonable noise" is disturbing, excessive or offensive sound that disturbs a reasonable person of normal sensitivities. In the event that a violation of this chapter is committed by an infant under the age of 16, the parent, guardian or other responsible individual shall be deemed to have committed the violation as well.
- B. The following acts are declared to be prima facie evidence of a violation of this chapter:
- (1) Any unnecessary noise from any source between the hours of 11:00 p.m. and 7:00 a.m. the following day.
  - (2) (Reserved)<sup>1</sup>

1. Editor's Note: Former Subsection B(2), regarding noise from dogs or other pets, was repealed 12-7-1999 by L.L. No. 4-1999.

- (3) Noise from a burglar alarm or other alarm system of any building, motor vehicle or boat which is continuous and exceeds 15 minutes.
- (4) Noise from any sound reproduction system, operating or playing any radio, portable radio or tape player, television, tape deck or similar device that reproduces or amplifies sound in such a manner as to be heard 60 feet from its source or over any property line.
- (5) The erection, including excavation, demolition, alteration or repair of any building other than between 7:00 a.m. and 9:00 p.m., except in case of a public safety emergency.
- (6) The operation of power equipment in residential zones outdoors between the hours of 10:00 p.m. and 7:00 a.m. the following day.
- (7) The sounding of any horn or signaling device of an automobile, motorcycle or other vehicle for any unnecessary or unreasonable period of time.
- (8) Offering for sale anything by shouting or outcrying upon the public streets and sidewalks.<sup>2</sup>
- (9) Operation of any motor, engine, or refrigeration compressor in or on any standing motor vehicle with a gross vehicle weight (GVW) in excess of 10,000 pounds between the hours of 11:00 p.m. and 7:00 a.m. for more than 15 minutes in the aggregate if such vehicle is standing on a residential premises or on a street in a residential zone. Vehicles making local deliveries for pick up, maintenance, or called to emergencies are exempt. [Added 4-5-2016 by L.L. No. 1-2016]

C. The acts set forth in Subsection B of this section shall not be deemed exclusive.

### § 99-3. Exceptions.

The provisions of this chapter shall not apply to the following acts:

- A. The emission of sound for the purpose of alerting persons to the existence of an emergency.
- B. Noise from school or municipally sponsored celebrations or events.
- C. Noise from individually sponsored celebrations or events where a permit for public assembly or other relevant permission has been obtained from the Village Clerk, the Mayor or a member of the Board of Trustees, provided that such celebration or event takes place between the hours of 9:00 a.m. and 10:00 p.m. Such permit shall be in substantially the same form as set forth in § 99-6 herein.
- D. The operation or use of any organ, radio, bell, chimes or other instruments, apparatus or device by any church, synagogue or school licensed or chartered by the State of New

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2. Editor's Note: See also Ch. 112, Peddling and Soliciting.

York, provided that such operation or use does not occur between the hours of 10:00 p.m. and 8:00 a.m.

- E. Noise generated by street maintenance or the installation and maintenance of utilities.
- F. Noise from clubs, bars, taverns, restaurants and similar businesses within Zoning District M-1, M-2, B-1, B-2 or B-3 between the hours of 8:00 p.m. and 1:30 a.m. the following day, provided that all reasonable steps have been taken to minimize excessive noise and to contain noise to the interior of the establishment.

**§ 99-4. Noise from industry.**

Noise allowable from any industry in a manufacturing zone shall not exceed a level of 85 decibels as measured from the nearest residence or public property other than a street, avenue, road, highway, right-of-way or sidewalk. The noise shall be measured on the A-Weighted scale on a sound level meter of a standard design and quality and having characteristics established by the American National Standards Institute. Noise allowable from any industry shall also include a horn or signaling device used by such industry for legitimate purposes, provided that such operation or use does not occur between the hours of 10:00 p.m. and 8:00 a.m. the following day.

**§ 99-5. Penalties for offenses.**

- A. Any person who violates any provision of this chapter shall be guilty of a violation and shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty. [Amended 12-7-1999 by L.L. No. 4-1999]
- B. The village may also seek injunctive relief to prevent the continued violation of this chapter. In the event that injunctive relief is required, the violator shall be required to reimburse the village for all costs associated therewith, including reasonable attorney fees.

**§ 99-6. Form of permit. [Amended 4-5-2016 by L.L. No. 1-2016]**

The permit shall take the following form.

**APPLICATION/PERMIT  
for Limited Exception to  
Unreasonable Noise Law**

Applicant: \_\_\_\_\_  
Date of birth: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Owner or landlord of premises: \_\_\_\_\_  
Date for which exception is applied: \_\_\_\_\_  
Activity to be conducted: \_\_\_\_\_

Hours in which Unreasonable Noise Law levels will be exceeded: \_\_\_\_\_

Manner in which Unreasonable Noise Law levels will be exceeded: \_\_\_\_\_

Applicant affirms that he/she has read and agrees to abide by the Unreasonable Noise Law of the Village of Camden and the limitations set forth in this application/permit. While the permit is in effect, applicant will take all steps necessary to minimize excessive noise.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
The above applicant is hereby granted a permit for exception to the Unreasonable Noise Law as limited by the above date and times.

Date: \_\_\_\_\_

\_\_\_\_\_  
Village Clerk/Mayor/Trustee