

The Noise Pollution Control Law of the Town of Cambria

*submitted
2/7/80
Town Clerk
Copy*

*Proposed
0020*

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do underlining to indicate new matter.

-County

of Cambria

Town of

-Municipality

Local Law No. 1 of the year

A local law of the Town of Cambria

Be it enacted by the of the
(Name of Legislative Body)

Whereas as follows:

Section 1. Declaration of Policy. It is hereby declared to be the policy of the Town Board to prevent unreasonably loud, disturbing or unnecessary noise. It is the intention of the Town Board to reduce noise level within the Town of Cambria so as to preserve, protect and promote the public health, safety and welfare and to foster convenience, peace and quiet within the Town by the inhabitants and transients within the Town of Cambria. The Town Board finds that every person is entitled to have maintained noise levels which are not detrimental to life, health and to the enjoyment of property, and that continual excessive and unnecessary noise within the Town of Cambria affects and is a menace to public health, safety, welfare and the comfort of the people of the Town of Cambria.

Section 2. Title. This local law shall be known as the Noise Pollution Control Law of the Town of Cambria.

Section 3. Noises prohibited. No person shall cause or permit to be caused any noise which can be heard by a person with normal hearing beyond the boundaries of property owned, leased or otherwise controlled by him/her, that would annoy, injure or endanger the comfort, repose, health, peace or safety of other persons and caused by the following:

- (a) Radios, televisions, record players, tape recorders, bands, musical groups and playing of musical recordings, including amplification of musical instruments, and other like devices shall be so modulated as not to annoy or cause discomfort to surrounding neighbors and, in any case, shall not be allowed past 10:00 PM, unless a permit is obtained from the Town Board on such terms as may be determined by the Board as reasonable and appropriate.
- (b) Between the hours of 9:00 p.m. and 8:00 a.m. mini-bikes, snowmobiles, ATVs, RTVs and motorcycles shall not be operated on private property closer than two hundred feet to any residence except the residence of the owner or operator thereof or any residence to which the owner or operator may be invited, except for ingress and egress to or from the operators residence.
- (c) All other loud or raucous noises, regardless of source, likely to annoy or disturb people are

prohibited except usual and

normal noises resulting from usual and normal household activities..

(d) No internal combustion engine shall be operated at any time or place in the Town of Cambria without an adequate muffler designed and manufactured to suppress exhaust noises to a minimum for the vehicle.

Section 4. Exemptions. Noises associated with best-approved agricultural practices are exempted from the provisions of this local law. Examples would include operating machinery, planting and harvesting noises, anti-bird/animal noise cannon, etc.. Recognizing that many agricultural operations are around the clock, farmers are encouraged to limit the use of noise cannons to daylight hours and no later than 10:00 PM, if possible.

Section 4. Penalties. A violation of this local law is an offense punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00). Each day's violation shall constitute a separate offense.

Section 5. Severability clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of the local law. The Town Board hereby declares that it would have passed the local law and each section and subsection thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 6. Effective date. This local law shall be effective immediately upon filing pursuant to section twenty-seven-of the Municipal Home Rule Law.