

Chapter 176

NOISE

§ 176-1. General restrictions.

§ 176-2. Enumeration of prohibited acts.

§ 176-3. Exceptions to provisions.

§ 176-4. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-26-75 as Ord. No. 701 as Section 3-2 of Chapter III of the 1975 Revised General Ordinances of the Borough of Wood-Ridge. Sections 176-2A(7) and 176-4 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III. Other amendments noted where applicable.]

GENERAL REFERENCES

General penalty – See Ch. 1, Art. II.

§ 176-1. General restrictions.

It shall be unlawful for a person to make or cause to be made any loud, unnecessary or unusual noise or any noise which by its nature or by the time when it is made does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

§ 176-2. Enumeration of prohibited acts.

- A. Without intending to limit the generality of § 176-1, the following acts are hereby declared to be examples of loud, disturbing and unnecessary noise in violation of this chapter:

- (1) Radios, televisions and phonographs. The playing, use or operation of any radio receiving set, television, musical instrument, phonograph 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 with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 8:00 a.m., so that it is clearly audible at a distance of one hundred (100) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this chapter.
- (2) Yelling and shouting. Yelling, shouting or hooting on the public streets, particularly between the hours of 11:00 p.m. and 8:00 a.m., or at any time or place which annoys or disturbs the quiet, comfort or repose of persons in any dwelling or other type of residence or of any persons in the vicinity.
- (3) Animals. The keeping of animals, birds or fowl which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity, but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Chapter 134, Article I, of this Code.
- (4) Horns. The sounding of a horn or warning device on an automobile, motorcycle, bus or other vehicle, except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger to persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound, or for an unnecessary or unreasonable period of time.

- (5) Exhaust. The discharge into the open air of the exhaust of a steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noise.
 - (6) Defect in vehicle or load. The use of an automobile, motorcycle or vehicle so out of repair or so loaded that it creates loud and unnecessary grating, grinding, rattling or other noise.
 - (7) Construction or repair. The carrying on of noisy excavation, demolition, construction, repair or alteration work, including work on private homes and dwellings, other than between the hours of 8:00 a.m. and 8:00 p.m. In case of urgent necessity or in the interest of public health or safety, the Building Subcode Official may grant a permit for excavation, demolition, construction, repair or alteration work for a period not to exceed three (3) days, by the terms of which permit such work may be carried on between 8:00 p.m. and 7:00 a.m.¹
 - (8) Schools, courts, churches and hospitals. The making of excessive noise on a street adjacent to a school, institution of learning, church or municipal court while in use or adjacent to a hospital, which unreasonably interferes with the working of the institution or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such a street indicating that it is a school or hospital area.
- B. The above enumeration is intended to give typical illustrations of prohibited noise and shall not be construed as exclusive.

§ 176-3. Exceptions to provisions.

Nothing herein contained shall be construed to apply to:

- A. The use of bells, chimes or sound amplifiers by churches engaged in church activities.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

- B. Activities of municipal departments in the performance of their duties, drills or public demonstrations.
- C. Activities in public parks, playgrounds or public buildings under permission or authority of municipal officials.
- D. The playing by a band or orchestra in a hall or building or in the open air, where duly authorized.

§ 176-4. Violations and penalties.²

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III.