

**TITLE 9**

**PUBLIC PEACE, MORALS AND WELFARE**

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**Chapter 9.02**  
**False Fire Alarm**

Sections:

9.02.010 Giving false alarm prohibited.

9.02.010 Giving false alarm prohibited. It is unlawful for any person to knowingly or without sufficient reasonable grounds give a false alarm or fire in any manner. (Ord. 335 Sec.5, 1971)

**Chapter 9.04**  
**Harassment of City Employees**

Sections:

9.04.10 Harassment of City Employees

9.04.10 Harassment of City Employees.

- a. It shall be unlawful for any person to willfully prevent, resist or obstruct or attempt to prevent, resist or obstruct any City employee from the performance of any official duty.
- b. It shall be unlawful for any person to communicate by any means, any threat of bodily or property harm to any City employee or to any member of the employee's family during the course of, or as a result of, the performance of any official duty by said City employee. (replaced 1999 codification)

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**Chapter 9.20**  
**Public Urination**

Sections:

9.20.010 Public Urination

9.20.010 Public Urination. It shall be unlawful for any person to urinate or defecate in or upon any street, alley, public place or in any place open to public view, provided this section shall not apply to restrooms or public facilities designated for such purpose. Civil penalty shall be as follows: First offense \$25, Second offense \$50, Third and subsequent offenses \$100. (Ord 18-08)

**Chapter 9.22**  
**Disturbing The Peace**

Sections:

9.22.010 Disturbing the Peace Prohibited.

9.22.020 Permitting Disturbance Prohibited.

\* For statutory provisions on disturbing public assemblies, see Code of Iowa Ch. 744.

9.22.010 Disturbing the Peace Prohibited. It is unlawful for any person to disturb the public peace and quiet of any street, avenue, alley or public ground, or to disturb the peace and quiet of any religious or other lawful assembly, or of any neighborhood, public place, private family or person, by giving false alarm of fire, or by loud or unusual noise, or by ringing bells, blowing horns or other instruments, or by loud, indecent, profane, obscene or threatening language, conversation, or conduct, or by threatening, quarreling, assaulting, fighting, or by any other means or device whatsoever. (Ord. 335 Sec.2, 1971)

9.22.020 Permitting Disturbance Prohibited. It is unlawful for any person to suffer or permit any hallowing, quarreling or fighting, or any loud, profane, obscene or indecent language or conversation, or any affray, in any house or premises owned, controlled or occupied by him, in such manner as to disturb the neighborhood, or persons passing along or upon any street, avenue, or alley. (Ord. 335 Sec.3, 1971)

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**Chapter 9.24**  
**Unlawful Assembly \***

Sections:

9.24.010 Assembling for Unlawful Purposes Prohibited.

\* For statutory provisions on unlawful assembly, see Code of Iowa Sec.743.1.

9.24.010 Assembling for Unlawful Purposes Prohibited. It is unlawful for any three or more persons to assemble together for the purpose of disturbing the peace, or being lawfully assembled, to agree with each other to do any unlawful act, or for them not to disperse when commanded or requested to do so by any officer or peace officer. (Ord. 335 Sec.1, 1971)

## **Chapter 9.30 Injuring Property**

Sections:

9.30.010 Oil Leaking on Pavement Prohibited.

9.30.020 Defacing or Injuring Property Prohibited.

9.30.030 Defacing Cemetery Prohibited.

9.30.010 Oil Leaking on Pavement Prohibited. If any oil peddler or other person within the corporate limits of the City allows any kerosene, gasoline, or other oils to be deposited upon any asphalt pavement, or to drip from any wagon, tank or other vessel upon any asphalt pavement within the City, or if any peddler or person engaged in the delivery of oils of any kind, upon or along streets paved in asphalt, fails to equip their wagon or vehicle used for that purpose with a suitable apparatus so as to prevent all leakage of oils upon said pavement. (Ord. 267 Sec.1, 1967, amended 1999)

9.30.020 Defacing or Injuring Property Prohibited.

A. If any person, within the corporate limits of the City, without authority from the City, defaces, injures or destroys, or assists in defacing, injuring or destroying any building, bridge, paving, sidewalk or crosswalk, drain or sewer or any part thereof, or any other property belonging to the City, or if any person injures or obstructs the making or repairing of any improvement or work ordered by the City.

B. If any person, within the corporate limits of the City, cuts, hacks, or in any manner injures any awning, lamppost, gas or water pipe, ornamental or shade trees, railing, fence or other property not owned by them.

C. It is unlawful for any person, willfully and without right or authority to deface any building, sign, awning, tree, fence, sidewalk, shrubbery, or any other property belonging to or upon the premises of another person, or upon any street, alley, public grounds or buildings, within the limits of the City, including the diversion of rainwater or roofwater to an adjacent lot. (Ord. 335, Sec.14 1973; Ord. 267 Sections 3 & 4, 1967, amended 1988 and 1999 codification)

9.30.030 Defacing Cemetery Prohibited. It is unlawful for any person to deface, injure, destroy, or remove any of the gravestones or other structures in a cemetery within the limits of the City or destroy or injure any tree, plant, shrub, or lawn in any cemetery, or to willfully and maliciously throw or leave any rubbish, refuse, garbage, waste, litter, or foreign substance within the limits of said cemetery. (Amended during 1977 codification: Ord. 335 Sec.16, 1971)

**Chapter 9.32**  
**Littering \***

Sections:

9.32.010 Depositing Refuse Prohibited Where.

9.32.020 Littering Prohibited

\* For statutory provisions which prohibit littering, see Code of Iowa Sec. 455B.95.

9.32.010 Depositing Refuse Prohibited Where. It is unlawful for any person to throw or deposit any ashes, leaves, grass, refuse matter, waste paper, or any obstruction of any kind in the street, avenue, or alley or public place; and it is unlawful for any person to throw or deposit any such thing upon any vacant lot or property not owned by him or her, except with the express written consent of the owner of such vacant lot or property. (Ord. 335 Sec.13, 1971)

9.32.020 Littering Prohibited. It is unlawful for any person to place, throw, or deposit any banana peel, other fruit peel, waste paper, cigar stub, cigarette stub, tobacco quid or any other litter upon any sidewalk, street crossing, public steps or stairways, or in any cellarway or grating. (Ord. 335 Sec. 14, 1971)



**Chapter 9.42  
CURFEW**

Sections:

9.42.010	Definitions
9.42.020	Prohibition
9.42.030	Exceptions for Sidewalks
9.42.040	Penalty and Enforcement

Preamble: The City of Epworth recognizes that all citizens including minors have certain inalienable rights and that among them are the rights of liberty and the pursuit of happiness. Further, all citizens including minors have the right to freedom of religion, freedom of speech, freedom of assembly, and of association. This ordinance should be interpreted to avoid any construction that would result in the appearance of interference with the free exercise of religious, professional and worship and political association and this ordinance shall not be construed to mean that the City intends to interfere with a minor's freedom of association for political, economic, religious, or cultural matters or association for purposes such as marches, demonstrations, picketing, or prayer vigils which are otherwise lawful and peaceful assemblies.

It is the intent of this ordinance that minors will be encouraged to travel straight home after a parental approved event or a constitutionally protected event.

The City Council believes that the minors of Epworth area are good people much like their parents; and, it is only out of a desire to help minors avoid mistakes when they are relatively immature that the Council wishes to enact a curfew ordinance.

The City Council believes that the number of minors involved in use of alcohol, use of controlled substances, traffic accidents and crime in general increases between the hours of 12:00 am and the early morning hours of the following day. The Council further believes that minors use of sidewalks and City streets after 12:00 am without specific purpose adds to minors opportunities to get themselves into trouble. The council also believes that a curfew will assist the parents of the City to have their minor children travel straight home after attending a parental approved event or a constitutionally protected event.

9.42.010 Definitions:

"Minor" means any person under the age of 18.

"Parent" means biological parents, a guardian or custodian appointed by the Courts, or an adult who accepted the role of parent at the request of the biological parent, guardian, or custodian.

"Emancipated minor" means a minor who no longer lives with a parent.

"Assembly" means any gathering of persons for a religious, political, economic, or cultural purpose with supervision designed to keep the focus of activity on the purpose for the assembly. For example, the Mayor provides adequate supervision at a City Council meeting as does a minister at a church service; as does a moderator at a cultural event and a chairman at an organized labor or political event. The term supervision does not require the presence of chaperons or adults whose sole purpose for presence at the assembly is to supervise teenagers. The person providing the supervision may be an adult or a minor.

9.42.020 Prohibition: Any minor under the age of 18 shall not be upon the streets or sidewalks of the City of Epworth between the hours of 12:00 am and 5:00 am except under one of the following exceptions:

The minor is traveling to or returning from employment or a religious, political, economic, or cultural assembly; or, the minor is traveling a direct route to or from home and the location of an errand that the minor is accomplishing at the request of a parent; or the minor is traveling a direct route to or from home and a school or recreational or social event that the minor attended with the approval of his parent.

The minor is accompanied by a parent.

The minor is traveling interstate for a lawful purpose and with the consent of the parent.

This ordinance does not apply to an emancipated minor.

9.42.030 Exceptions for Sidewalks: Under this ordinance minors are prohibited from using the streets for cruising and the sidewalks for socializing after 12:00 am; however, socializing on the sidewalk in front of a minors home shall not be prohibited; and, the minor shall not be in violation of this ordinance if he is on the sidewalk in front of his parent's home or if he is on the sidewalk in front of the home of one of the members of the group with whom the minor is socializing.

9.42.040 Penalty and Enforcement. A minor who is in violation of this ordinance may be reunited with his parents or may be taken home by the police officers or may be directed to travel immediately home; and, in addition, a minor who violates this ordinance shall be subject to a fine not to exceed \$25.00 for the first offense and not to exceed \$100.00 for the second and subsequent offenses.

(Ord. 10-98, Ord. 3-07)

## VIII. WEAPONS

### Chapter 9.48 Firearms and Missiles \*

\* For statutory provisions on weapons and firearms, see Code of Iowa chs. 695 and 696.

Sections:

- 9.48.030 Carrying A Concealed Weapon
- 9.48.040 Discharging Firearms Prohibited--Exception
- 9.48.050 Missiles--Negligent Use Prohibited
- 9.48.060 Missiles--Discharging Certain Types Prohibited

9.48.030 Carrying A Concealed Weapon. It is unlawful for any person to carry under such person's clothes or concealed about their person or to be found in possession of any slingshot, knuckles of metal or other material, air gun or any other weapon other than a knife. (replaced 1999 codification)

9.48.040 Discharging Firearms Prohibited--Exception. It is unlawful to discharge any cannon, gun, pistol, revolver, or firearm of any description, without first having obtained permission in writing from the Mayor, unless the person doing the same is an officer acting within the duties of his office. (Ord. 358 Sec.4, 1973)

9.48.050 Missiles--Negligent Use Prohibited. It is unlawful for any person to willfully or carelessly or negligently throw any stick, stone, or other missile, whereby any person may or shall be injured or struck, or any window glass broken, or other property damaged, injured or destroyed. (Ord. 335 Sec.8, 1971)

9.48.060 Missiles--Discharging Certain Types Prohibited. It is unlawful for any person to discharge or throw any missile of any character from or by the use of any airgun, bow and arrow, slingshot, or from or by the use of any other thing or device. (Ord. 335 Sec.12, 1971)

## IX. COMMUNITY PROTECTION

### Chapter 9.52 Nuisances

Sections:

- 9.52.010 Definitions
- 9.52.020 Nuisances Prohibited
- 9.52.030 Other Conditions Regulated
- 9.52.040 Notice to Abate Nuisance or Condition
- 9.52.050 Contents of Notice to Abate
- 9.52.060 Method of Service
- 9.52.070 Request for Hearing and Appeal
- 9.52.080 Abatement in Emergency
- 9.52.090 Abatement by Municipality
- 9.52.100 Collection of Cost of Abatement
- 9.52.110 Installment Payment of Cost of Abatement

For statutory provisions on Nuisances, Code of Iowa, Ch. 657.

9.52.010 Definitions. For use in this ordinance, the following terms are defined:

1. The term "nuisance" shall mean whatever is injurious to health, indecent or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. The following are declared to be nuisances:

a. The erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort of property of individuals or the public.

b. The causing or suffering any offal, filth or noisome substance to be collected or to remain in any place to the prejudice of others.

c. The obstructing or impeding without legal authority the passage of any navigable river, harbor or collection of water.

d. The corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting the same from its natural course or state; to the injury or prejudice of others.

e. The obstructing or encumbering by fences, buildings or otherwise the public roads, private ways, streets, alleys, commons, landing places or burying grounds.

f. Houses of ill fame, kept for the purpose of prostitution and lewdness, gambling houses, or houses resorted to for the use any unlawful mind altering substances or houses where drunkenness, quarreling, fighting, or breaches of the peace are carried on or permitted to the disturbance of others.

g. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof.

h. (deleted)

i. Any object or structure hereafter erected within one thousand (1000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation, including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.

j. The depositing or storing of inflammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of any city, unless it be in a building of fireproof construction.

k. The emission of dense smoke, noxious fumes or fly ash.

l. Dense growth of all weeds, vines, brush or other vegetation in the City so as to constitute a health, safety or fire hazard.

m. Trees on private property infected with Dutch elm disease.

n. Effluent form a septic tank or drainfield or ponding of polluted water over an overload or non-operating drainfield.

o. The obstruction of a gutter or drainage ditch or pipe.

p. The maintaining of any accumulations of rubbish.

q. The maintaining of any accumulation of tires, automobile or implement parts, inoperable or disassembled equipment or machinery (including powered equipment) outdoors in any R-1, R-2, or R-3 zoning district under City of Epworth zoning classifications. (Ord 10-2010)

2. The term "property owner" shall mean the contract purchaser of there is one of record, otherwise the record holder of legal title.

9.52.020 Nuisances Prohibited. The creation or maintenance of a nuisance is hereby prohibited, and a nuisance, public or private, may be abated in the manner provided in this ordinance.

9.52.030 Other conditions regulated. The following actions are required and may also be abated in the manner provided in this ordinance:

1. The removal of diseased trees or dead wood, but not diseased trees and dead wood outside the lot and property lines and inside the curb lines upon the public street.
2. The removal, repair, or dismantling of a dangerous building or structure.
3. The numbering of buildings.
4. The connection to public drainage systems from abutting property when necessary for public health or safety.
5. The connection to public drainage systems from abutting property, and the installation of sanitary toilet facilities and removal of other toilet facilities on such property.
6. The cutting or destruction of weeds or other growth which constitutes a health, safety or fire hazard.

9.52.040 Notice to Abate Nuisance or Condition. Whenever the Mayor or other authorized municipal officer finds that a nuisance or other condition listed in 9.52.030 exists, he or she shall cause to be served upon the property owner as shown by the records of the county auditor a written notice to abate the nuisance within a reasonable time after notice.

1. A description of what constitutes the nuisance or other condition;
2. The location of the nuisance or condition;
3. A statement of the act or acts necessary to abate the nuisance or condition;
4. A reasonable time within which to complete the abatement;
5. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it, and assess the costs against such person.

9.52.060 Method of service. The notice may be in the form of an ordinance or sent by certified mail to the property owner as shown by the records of the county auditor.

9.52.070 Request for Hearing and Appeal. Any person ordered to abate a nuisance or condition may have a hearing with the officer ordering the abatement as to whether a nuisance or prohibited condition exists. A request for a hearing must be made in writing and delivered to the

officer ordering the abatement within the time stated in the notice, or it will be conclusively presumed that a nuisance or prohibited condition exists and it must be abated as ordered.

At the conclusion of the hearing, the hearing officer shall render a written decision as to whether a nuisance or prohibited condition exists. If he or she finds that a nuisance or prohibited condition exists, he or she must order it abated within an additional time which must be reasonable under the circumstances. An appeal from this decision may be had by immediately filing a written notice with the hearing officer. This appeal will be heard before the City Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance or prohibited condition is found to exist, it shall be ordered abated within a time reasonable under the circumstances.

9.52.080 Abatement in Emergency. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action which may be required under this ordinance without prior notice. The City shall assess the costs as provided in Section 9.52.100 of this ordinance, after notice to the property owner under the hearing as provided in Section 9.52.070.

9.52.090 Abatement by Municipality. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the City Clerk who shall pay such expenses on behalf of the municipality.

9.52.100 Collection of Cost of Abatement. The Clerk shall mail a statement of the total expense incurred to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one month, he or she shall certify the cost to the county auditor and it shall be collected with, and in the same manner, as general property taxes.

9.52.110 Installment Payment of Cost of Abatement. If the amount expended to abate the nuisance or condition exceeds \$100, the City shall permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest as benefited property.

(Chapter 9.52 added during 1981 codification, amended Ord 10-2010).

## **Chapter 9.58 Noise Control**

### Sections

- 9.58.010 Purpose
- 9.58.020 Scope of Regulations
- 9.58.030 Definitions
- 9.58.040 Noise Disturbance Prohibited
- 9.58.050 Sounds Not Allowed
- 9.58.060 Exceptions to This Chapter
- 9.58.070 Other Laws and Ordinances

9.58.010 Purpose. The purpose of this chapter is to establish standards for the control of noise pollution in the city thereby protecting the public's health, safety and general welfare.

9.58.020 Scope Of Regulations. This chapter applies to the control of all noise originating within the limits of the City, except in the following cases;

1. A State or Federal agency has adopted a different standard or rule than prescribed within this chapter which preempts the regulation of noise from a particular source so as to render this chapter inapplicable, or
2. The City Council may grant a variance by reason of public acceptance of the activity producing a particular noise or noises, such noise is deemed acceptable to community.

**9.58.030 Definitions.** Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms have the following meanings. Definitions of technical terms used in this chapter which are not herein defined shall be obtained from publications of acoustical terminology issued by the American National Standards Institute (ANSI):

1. "Application" means the application submitted to the City requesting a Outside Services permit.
2. "Emergency" means any occurrence or set of circumstances involving actual or imminent physical or psychological trauma or property damage which demands immediate action.
3. "Emergency work" means any work performed for the purpose of alleviating or resolving an emergency.
4. "Noise" means any sound which disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
5. "Noise disturbance" means those sounds defined as "sounds not allowed" Section in 9.58.050 of this chapter.
6. "Plainly Audible" means any sound that can be detected by a person using his or her unaided hearing faculties, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of



musical rhythms. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.

7. “Powered model vehicle” means any self-propelled, airborne, waterborne or landborne model plan, vessel or vehicle which is not designed to carry persons, including but not limited to, any model airplane, boat, car or rocket.

8. “Real property boundary” means any imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intra-building real property division.

9. “Recreational vehicle” means any motor-powered vehicle designed to carry at least one passenger or driver and equipped for use in racing or other recreational events or uses off of public right-of-way on public or private property; except, however, for the purposes of this chapter, any such vehicle which is licensed for use on the public highways is deemed a “motor vehicle” (or “motorcycle” if two or three-wheeled) and not a “recreational vehicle.” (Examples of recreational vehicles are snowmobiles, mini-bikes, stockcars, four wheelers or motorboats.)

10. “Residential property” means any property on which is located a building or structure used wholly or partially for living or sleeping purposes.

11. “Sound” means an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

12. “Sound equipment” means any radio, record player, tape deck or player, loud speaker, amplifier, sound track or other device for producing, reproducing or amplifying sound, except; however, “sound equipment” does not include sirens and other equipment used to alert persons to the existence of an emergency; equipment used by law enforcement and other public safety officials in the performance of their official duties; church carillons, bells or chimes; mobile radio or telephone signaling devices; and automobile and truck radios, tape decks or players or other such standard equipment used and intended for the use and enjoyment of the occupants provided that the sound emitted there from is not audible for more than fifty (50) feet from such automobile or truck.

9.58.040 Noise Disturbance Prohibited. It is unlawful for any person to willfully make, continue, cause or allow any noise disturbance within the City.

9.58.050 Sounds Not Allowed. The term “noise disturbance” means any of the following sounds:

1. Alarm Testing. The sound emitted by the intentional sounding outdoors of any privately-owned fire alarm, burglar alarm, siren, whistle, or similar stationary emergency signaling device for the essential testing of such device, when conducted between the hours of 5:00 p.m. and 8:00 a.m.
2. Automobile Radios. The sound emitted by an automobile or truck radio, tape deck or compact disk player, or other such standard equipment used and intended for the use and

enjoyment of such vehicle's occupants while such vehicle is on the public right-of-way if the sound emitted there from is audible for more than 50 feet.

3. Chain Saws. The sound emitted by motor-powered chain saws, tree trimming equipment and weed cutters operated between the hours of 10:00 p.m. and 7:00 a.m.

4. Construction Noise. The sound made by privately-owned and operated tools or equipment in erection, demolition, excavation, drilling or other such construction work which is received between the hours of 10:00 p.m. and 6:00 a.m. Sunday through Thursday; 11:00 p.m. and 6:00 a.m. Friday and Saturday.

5. Engine Brakes and Compression Brakes. The sound made by an engine brake device, compression brake, or a mechanical exhaust device designed to aid in the braking or deceleration of any vehicle, at all times.

6. Engine Repairs and Testing. The sound made by the repairing, rebuilding, modifying, or testing a motor vehicle or recreational vehicle which is received between the hours of 10:00 p.m. and 7:00 a.m.

7. Lawn and Garden Equipment. The sound emitted by motor-powered, muffler-equipped lawn and garden equipment operated between the hours of 10:00 p.m. and 7:00 a.m.

8. Loading and Unloading. The sound made by outdoor loading, unloading, opening, closing, or handling of boxes, crates, containers, building materials, trash cans, containers, receptacles, and/or dumpsters between the hours of 10:00 p.m. and 7:00 a.m.

9. Musical Instruments. The sound made by a drum, horn, reed and/or string instrument, or other musical instrument or device which is played outdoors between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday; 11:00 p.m. and 7:00 a.m. Friday and Saturday.

10. Noisy Exhaust System. The sound made by a motor vehicle or a recreational vehicle whose exhaust system is defective or has been modified by the installation of a muffler cutout or bypass.

11. Off-road Motorcycle and Recreational Vehicle Noise. The sound made on private or City-owned property other than a public right-of-way by a motorcycle or recreational vehicle and received between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday; 12:00 p.m. Midnight and 7:00 a.m. Friday and Saturday, provided; however, the sound made by a motorcycle when traveling from private property to a public right-of-way, or vice versa, in pursuance of normal ingress or egress for purposeful transportation is not a "noise disturbance" unless made so by some provisions of this section.

12. Powered Model Vehicles. The sound made by the operation of a powered model vehicle which is received between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday; 12:00 p.m. Midnight and 7:00 a.m. Friday and Saturday.

13. Racing. The sound made by a motor vehicle or recreational vehicle on private property or public right-of-way during any racing event or time trial, whether organized or unorganized, at all times.

14. Screeching Tires. The sound made by the intentional screeching or squealing of the tires of a motor vehicle, at all times.

15. Sound Equipment. The sound made by sound equipment (see definition in this chapter) operated outdoors between 10:00 p.m. and 7:00 a.m. Sunday through Thursday; 11:00 pm and 7:00 a.m. Friday and Saturday. Any use or operation of sound equipment indoors must close their doors and windows to abate the sound at all times and cease if “plainly audible” for more than 100 feet from the real property boundary.

9.58.060 Exceptions To This Chapter

A. This article shall not apply to the following:

1. The emission of sound for the purpose of alerting persons to the existence of an Emergency. This is to include the public address systems.
2. The emission of sound in the performance of emergency work.
3. Rail and air transportation and public mass transportation vehicles.
4. The emission of sound in the performance of military operations, exclusive of travel by individuals to or from military duty.
5. The emission of sound from activities in the discharge of weapons, fireworks displays, or parades permitted by the City Council.
6. The emission of sound from activities where the state or federal agency has adopted a different standard or rules than that prescribed within this Chapter.
7. The emission of sound during nonprofessional athletic and school events or practices.
8. The emission of sound from on-site stationary trash compactors, Municipal or municipally contracted compacter trucks loading or unloading of yard waste, recyclable material, trash, and garbage. In cases where the sound originates within 300 feet of a residential area land use of noise sensitive land use exemption shall only apply between the hours of 7:00 a.m. to 10 p.m.
9. The emission of sound during the operation, maintenances, repair, and cleaning of public streets and facilities. Work performed by or for public utilities.
10. Agricultural activities, exclusive of those involving the ownership or possession of animals or birds.
11. The emission of sound by church carillons, bells or chimes, be it electronic or manual.

B. An extension to the time limits in this chapter may be granted by the City Council upon request.

9.58.070 Other Laws And Ordinances. No provisions of this chapter should be construed to legalize or permit sounds, devices or activities made unlawful by other ordinances of the City or State or Federal statutes.

(Chapter 9.58 adopted per Ord. #10.06; amended Ord. 17-2022)