

Sec. 22-46. - Noise disturbance prohibited generally.

- (a) No person shall make, continue or cause to be made or continued, except as permitted in this article, any noise or sound which constitutes a noise disturbance. In the absence of specific maximum noise levels, a noise level must exceed the ambient noise level by five dBA or more, when measured at the nearest property line or, in the case of a multifamily residential building, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, in order to constitute a noise disturbance.
- (b) Any person, including a police officer, or a municipal zoning or building official, may be a complainant for the purposes of instituting action for any violation of this chapter. For any violation of this section, the receiving land use involved may include real property contiguous to, or bounding the real property containing the source of the sound which is the subject of the violation.

(Code 1986, § 9-15; Ch. 849, § 1, 7-7-2004)

Sec. 22-47. - Maximum permissible sound levels by receiving land use.

- (a) With the exception of sound levels elsewhere specifically authorized or allowed in this article or exempted by this article or by variance, the following are the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use:

**Table I**  
**Sound Levels by Receiving Land Use and Penalties for Violating Levels**

Location of Receiving Land Use	Time	Sound Limit dBA
Zoning District:		
Residential	7:00 a.m. to 10:00 p.m. 10:00 p.m. to 7:00 a.m.	65 dBA 55 dBA
Business Zones BA, BB, BC	1:00 a.m. to 7:00 a.m. All other times	55 dBA 75 dBA

Industrial Zones IA and IB	1:00 a.m. to 7:00 a.m.	55 dBA
	All other times	75 dBA

(b) Notwithstanding any other provision of this chapter, any business with a liquor license which is cited for a noise disturbance is subject to the penalty for a violation in the general business district as set out in this section.

(c) For any source of sound which emits narrow band sound, the maximum sound level limits set forth hereinabove shall be reduced by five dBA.

(d) Exceptions to Table I are activities covered by sections 22-48, 22-52, 22-54, and 22-59.

(Code 1986, § 9-16; Ch. 849, § 1, 7-7-2004; Ch. 946, § 1, 8-15-2011)

Sec. 22-48. - Emergency signaling devices.

(a) No person shall operate or permit the intentional sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle, or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in subsection (b) of this section.

(b) Testing of a stationary emergency signaling device shall occur at the same time of day each time the test is performed, but not before 8:00 a.m. or after 9:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall the test time exceed 60 seconds.

(Code 1986, § 9-17)

Sec. 22-49. - Specific activities prohibited.

The following actions are prohibited only when causing a noise disturbance as defined in this article:

- (1) *Hawkers and peddlers.* No person shall create a noise disturbance by offering for sale or selling anything by shouting or outcry across a real property boundary. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses or other similar licensed public entertainment events.
- (2) *Vehicle or motorboat repairs or testing.* No person shall repair, rebuild, modify or test any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance across a real property boundary.
- (3) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the city, except as a

danger warning.

- (4) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio receiving device, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is broadcast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- (5) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m.
- (6) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (7) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such condition as to create a noise disturbance.
- (8) *Loading, unloading, opening boxes.* The creation of a noise disturbance in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (9) *Schools, courts, churches, hospitals.* The creation of any noise disturbance on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court are in use, or adjacent to any hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
- (10) *Disorderly house.* No person shall do either of the following:
  - a. Keep a disorderly house whereby the peace, comfort, or decency of a neighbor is habitually disturbed; or
  - b. Being the owner of and in control of the premises to permit them to be so used;
  - c. For purposes of this section a disorderly house is defined as a residence or dwelling in which two noise disturbances resulting in convictions in the municipal court have occurred within a period of 12 months or less;
  - d. The owner of any such residence or dwelling may assert as a defense reasonable efforts to take action against the perpetrators of the violation of this article, including the initiation of eviction proceedings pursuant to Rhode Island General Laws.

(Code 1986, § 9-18; Ch. 849, § 1, 7-7-2004)

Sec. 22-50. - Musical instruments and similar devices.

No person shall operate, play or permit the operation of any musical instrument, phonograph or other machine or device for the production or reproduction of sound, including but not limited to any stereo, radio, television, musical instrument or other noise making device for the producing or reproducing of sound within a motor vehicle, using or operating such instrument or device and such persons who are voluntarily listeners thereto or in such manner as to constitute a noise disturbance. In addition, the operation of any such instrument, phonograph, television, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be a violation of this section; provided, that nothing contained in this section shall prohibit performances by the ringing of bells in a tower, or by a band or orchestra in a hall, building or in the open air that is otherwise in compliance with local ordinances.

(Code 1986, § 9-19; Ch. 849, § 1, 7-7-2004)

Sec. 22-60. - Penalties for violation of article.

- (a) The penalty for violation of any section of this article shall be up to the maximum allowed by state law for municipalities to impose on ordinance violations as follows:
  - (1) The first offense shall be punished by the issuance of an order to cease and desist the violations and by a fine of not less than \$400.00 or imprisonment of not more than 30 days.
  - (2) Any subsequent offense within a 12-month period shall be punished by the issuance of an order to cease and desist the violation and by a fine of not less than \$500.00 or imprisonment of not more than 30 days.

(Code 1986, § 9-29; Ch. 849, § 1, 7-7-2004; Ch. 946, § 2, 8-15-2011)