

TITLE 17. NOISE

Chapter 1. General, 17-1-1 to 17-1-16

Chapter 1. General Provisions

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17-1-1 Definitions.

As used in this title, unless the context otherwise requires, the following words or phrases shall have the meanings ascribed to them in this section:

- (1) **Plainly heard** - Any noise that can be heard in a clear way;
- (2) **Unusually loud** - Noise that shocks, disturbs, overwhelms, or is offensive;
- (3) **Annoyance** - Something that annoys, is a nuisance, or is irritating;
- (4) **Vehicles** - Including, but not limited to, snowmobiles, ATVs, motorcycles, cars, trucks, boats, minibikes, motorized scooters, go-carts, etc...;
- (5) **Parties** - A social gathering of people or the entertainment provided for it.

17-1-2 Purpose.

These rules and regulations establish minimum standards for residential, commercial and business conditions:

- (1) To reduce the making and creation of excessive, unnecessary, or unusually loud noises within the limits of Clinton City;

- (2) To prevent the making, creation, or continue to cause to be made or continued, any excessive, unnecessary, or unusually loud noises, which either annoys, disturbs, injures, or endangers the comfort, health, peace, sanctity, or safety of others within the limits of Clinton City;

- (3) To secure and promote the public health, comfort, convenience, safety, welfare, and the peace and quiet of the inhabitants of Clinton City.

17-1-3 Noise from Vehicle Stereos.

It shall be unlawful for the volume of stereo music from a vehicle to be played so loudly that the music, sound, or noise coming from the speakers can be plainly heard or felt further than 50 feet from the noise source. It is irrelevant if the vehicle is moving on the roadways or parked on private or public property.

17-1-4 Noise from Stereos or Band Equipment.

It shall be unlawful for any person to play their stereos, radios, or other musical devices so loudly that it disturbs, offends, or annoys another neighbor. A neighbor to the source of the annoyance is not restricted to an adjacent residence, the complainant can be up to several homes away. Musical instruments and sound amplified instruments are not exempt.

17-1-5 Noise from Exhaust/Loud Vehicles.

It shall be unlawful for vehicles to be operated on the roadways or on private property that are in violation of Utah Traffic Code 41-6-147.

17-1-6 Noise from Lighting.

It shall be unlawful for the exterior lighting on homes to illuminate the yards of adjacent homes so brightly that it interferes with other home owners. This annoyance is limited to lights that may shine in a window during night hours and interferes with a person's sleep or normal routine. Lighting that is exempt from this ordinance is limited to: the city parks, utility poles, street lights, business signs, lighting from traffic, and city sponsored fireworks.

17-1-7 Noise from Implements of Husbandry.

Implements of husbandry, which include, but are not limited to, tractors and farm equipment, are exempt from the noise ordinance as long as the equipment is actively being used in a field or on a farm, or is in transit to arrive at the field or farm, unless such noise is deemed to be detrimental to the health, safety and welfare of Clinton residents.

17-1-8 Noise from Construction/Building.

Noise caused by home or business construction or repair are exempt from this section when performed between the hours of 6:30 a.m. to 10:00 p.m. any day of the week. Music or the radio that workers may be listening to is not exempt and is in violation of Clinton City Ordinance 17-1-4.

17-1-9 Noise from Maintenance Equipment.

Noise from maintenance equipment, such as lawn mowers, weed eaters, trimmers, aeration, etc., are exempt from this section when used between the hours of 6:30 a.m. and 10:00 p.m. any day of the week. Residential garbage collection is exempt from this chapter.

17-1-10 Noise from Loud Parties.

It shall be unlawful for any person to make, continue to make or cause, or fail to stop, any excessive, unnecessary, or unusual noise, which annoys, disturbs, injures, endangers the comfort, health, peace, or safety, of others within the limits of Clinton City.

At parties or large gatherings, and it can be determined who committed the noise violation, the person can individually be held responsible. If it is undetermined who is committing the noise violation, then the person in charge, or the home owner, or renter can be held accountable by being charged with the noise violation.

In determining what is viewed as loud, the following standards apply:

- (1) If the noise can be plainly heard from the public roadway in front of the residence.
- (2) If the noise can be plainly heard when standing at any property line to the home where the noise is emitting.

In this section, it is irrelevant if the complaining person remains anonymous with the police department or dispatch center. If an officer either arrives on scene through being dispatched or preventive patrol, the officer can take action without contacting the complainant. If the noise is terminated prior to police arrival, the complainant must sign a complaint before any person can be charged for the noise violation.

17-1-11 Noise from Personal Behavior.

It shall be unlawful for any person to make unreasonable noises, to fight, to cause any public inconvenience, annoyance, or alarm, within the limits of Clinton City.

17-1-12 Noise from Emergency Work.

Construction equipment, including backhoes, derricks, generators, lights, etc., and personnel required to operate such equipment, that are needed to repair utilities, broken pipes, water lines, etc., are exempt from this section. Emergency work is required to protect persons or property from exposure to danger or to potential danger. This work is necessary to restore property to a safe condition following a public calamity.

17-1-13 Noise from Police and Fire.

While in the performance of their official duties, training, etc., the Clinton City Police Department and the Clinton City Fire Department are exempt from this section, 24 hours a day, 7 days per week.

17-1-14 Noise from Fireworks and Explosives

This chapter shall not apply to class "c" fireworks and explosives when said fireworks and explosives are used pursuant to a written permit from the City Manager. Fireworks permitted by state law for residential use are also exempted.

17-1-15 Undue Hardship

Application for a permit for relief from the noise levels designated in this Title on the basis of undue hardship may be made to the City Manager and granted by him, or his duly authorized representative, upon a showing that compliance with this Ordinance would create an undue hardship upon the applicant. The permit to create noise levels in excess to the listed limitations set forth in this Title shall not be granted for more than 30 days, unless approved by the Clinton City Council for a longer period of time.

17-1-16 Penalties.

Any person who violates this title shall be guilty of committing a class C misdemeanor.