

Ordinance no. 023-7

Sept 6, 2023

## Rich County Ordinance for Noise Control

### Section 1. Intent.

The purpose of this ordinance is to ensure the peace and enjoyment of people living in and visiting Rich County by regulating the creation of noise.

### Section 2. Specific noise prohibitions.

The following acts are prohibited by this ordinance:

- (a) Horns and signaling devices. The sounding of any horn or signaling device on any truck, automobile, motorcycle, emergency vehicle, or other within the county, except as a danger warning signal as provided in the Vehicle Code of the State of Utah.
- (b) Musical instruments and speakers. Use of any musical instrument, speaker, radio, television, or other similar device between the hours of 10:00 p.m. and 6:00 a.m. in a manner that is plainly audible by other people who are either on public property or using a public right of way or inside their own residences.
- (c) Hawkers and Peddlers. Selling anything by outcry within any area of the County or any city therein zoned primarily for residential use. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food, and beverages at licenses sporting events, parades, fairs, circuses, and other similar public entertainment events.
- (d) Loading Operation. Loading, unloading, opening, or otherwise handling boxes, crates, containers, garbage containers, or other objects outdoors between the hours of 10:00 p.m. and 6:00 a.m.
- (e) Construction Work. Engaging in construction or construction repair work in a residential area or that can be heard in a residential area between the hours of 10:00 p.m. and 6:00 a.m.
- (f) Domestic Power Equipment. Operating or permitting the operation of any power equipment in residential area, or which can be heard in a residential area, including, but not limited to, a power saw, sander, lawn mower, leaf blower, garden equipment, or snow removal equipment outdoors between the hours of 10:00 p.m. and 6:00 a.m.

- (g) Defect in Vehicle. Operating or permitting the operation or use between the hours of 10:00 p.m. and 6:00 a.m. of any truck, automobile, motorcycle, or other motor vehicle that because of disrepair or alteration emits more noise than the vehicle would if properly fixed or without the alteration.

### Section 3. Definitions.

As used in this ordinance, the following terms have the following meanings:

- (a) "Plainly audible" means that the noise is loud enough for distinct words or melody or pattern to be discernable by others.
- (b) "Alteration" means any after-market adjustment to a vehicle that has a primary purpose or secondary effect of creating more noise than the vehicle was designed by the manufacturer.

### Section 4. Exemptions.

The following are exempted from this ordinance:

- (a) Noise related to any authorized emergency vehicle.
- (b) Noise resulting from emergency work.
- (c) Noise resulting from any activity for which the person has been granted a permit by the County.
- (d) All agricultural activity.
- (e) Activities by government agencies fulfilling their duties.

### Section 5. Penalty.

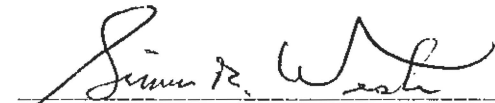
- (a) The County declares any activity in violation of this ordinance to be a nuisance authorizing the abatement measures provided by law.
- (b) Any person intentionally, knowingly, or recklessly violating this ordinance is guilty of an infraction.
- (c) Any person intentionally, knowingly, or recklessly violating this ordinance after having been cited or warned by a law enforcement officer is guilty of a class-B misdemeanor.

Section 6. Effective Date.

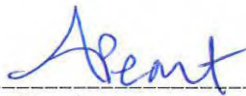
This ordinance shall become effective immediately upon posting as provided by law.

APPROVED AND ADOPTED this 6 day of September, 2023.

BOARD OF RICH COUNTY COMMISSIONERS

  
Chairman

ATTEST:

  
Anneliesa Peart  
Rich County Clerk

Commissioner Bill Cox voted	<u>yes</u>
Commissioner Sim Weston voted	<u>yes</u>
Commissioner Jonathan Lee voted	<u>yes</u>