

98.3 Prohibition

No person shall make, continue, cause or suffer to be made or continued any unreasonable noise, as defined herein. The following enumerative acts are declared to be in violation of this section:

(A): Sound reproduction device

(1) No person shall operate or cause to be operated a sound reproductive device that produces unreasonable noise.

(G): Apartments and multiple dwellings

(1) No person shall make unreasonable noise in an apartment building or multiple dwelling such that the noise is audible from an apartment or separate dwelling unit within such building or in proximity thereto and interferes with the reasonable quiet use and enjoyment of such residence by the occupant(s) of said apartment or dwelling unit.

(2) Unreasonable noise shall include but not be limited to noise from loud music, repeated yelling, fighting, stomping, banging, animal noise or any other source.

(3) Upon the first complaint regarding a violation of this subsection, the police shall issue a written warning to the offender. A second violation of this subsection by the same occupant(s) at the same premises within one year from the date of any warning issued to such occupant(s) at such premises shall constitute a violation punishable as provided in this chapter. A third violation of this subsection by the same occupant(s) at the same premises within one year from the date of any prior violation shall constitute a misdemeanor punishable as provided in this chapter.

98.6 Penalties for offenses (and repeat offenses)

(A) Any person who shall violate any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding \$250.

(B) In addition to any other remedy provided by local law, the City may bring a proceeding to enjoin a violation of this section.

(C) Except as provided in section 98-3G, any person who violates any provision of this chapter for a second time within one year from the date of a prior conviction for a violation of this chapter shall be guilty of a misdemeanor and shall be sentenced to a fine not exceeding \$1,000 or by imprisonment not to exceed one year, or both such fine and imprisonment.