

Chapter 99

NOISE

[HISTORY: Adopted by the Town Board of the Town of Hartland 6-13-1996 by L.L. No. 2-1996.¹ Amendments noted where applicable.]

§ 99-1. Declaration of policy.

It is hereby declared to be the policy of the Town Board to prevent unreasonably loud, disturbing and unnecessary noise. It is the intention of the Town Board to maintain reasonable noise levels within the Town of Hartland so as to preserve, protect and promote the public health, safety and welfare and to foster convenience, peace and quiet within the town by the inhabitants and transients within the Town of Hartland. The Town Board finds that every person is entitled to have maintained noise levels which are not detrimental to life, health, comfort or the ability to sleep and to have the enjoyment of property and that excessive and unreasonable noise within the Town of Hartland affects and is a menace to public health, safety, welfare and comfort of the people of the town.

§ 99-2. Title.

This chapter shall be known as the "Noise Control Law of the Town of Hartland."

§ 99-3. Noises prohibited.

- A. No person shall cause or permit to be caused any noise which can be heard by a person with normal hearing beyond the boundaries of property owned, leased or otherwise controlled by him, or upon which he is located, that shall unreasonably disturb, alarm or interfere with the comfort, repose or peace of other persons.
- B. No internal combustion engine shall be operated at any time or place in the Town of Hartland without an adequate muffler designed and manufactured to suppress exhaust noise or in such a manner that the noises emitted therefrom shall unreasonably disturb, annoy or interfere with the comfort, repose or peace of other persons.
- C. (Reserved)²
- D. No person shall maintain or operate any radio, record player, tape recorder, musical devices or instruments or other device designed for the creation, broadcast or emission of music or other sounds at such a level that the noise emitted therefrom shall unreasonably disturb, annoy or interfere with the comfort, repose or peace of any person not on the premises on which such device is located.

1. Editor's Note: This local law also repealed former Ch. 99, Noise, adopted 9-24-1981 by L.L. No. 3-1981, as amended.

2. Editor's Note: Former Subsection C, regarding the habitual barking of dogs, was repealed 3-12-2015 by L.L. No. 1-2015. See now Ch. 66, Dogs, § 66-4.

§ 99-4. Penalties for offenses.

A violation of this chapter is an offense punishable by a fine of not more than \$250 or by imprisonment for a period of not more than 15 days, or by both such fine and imprisonment.

§ 99-5. Construal of provisions.

- A. The provisions of this chapter shall not be construed so as to deny or abridge the substantive rights of persons as guaranteed by New York State or United States constitutions or statutes.
- B. Sections 99-3A and B of this chapter shall not be construed to prohibit any activity of any person engaged in an agricultural activity as an occupation.

§ 99-6. Applicability.

This chapter shall apply to the entire Town of Hartland outside the Village of Middleport.