

Article II Noise Control

[Adopted 11-15-1982 by L.L. No. 7-1982 (Ch. 31 of the 1971 Code)]

§ 119-5 Restrictions.

No person shall cause or permit to be caused, beyond the boundaries of property owned, leased or otherwise controlled by him nor on any public property, any noise which can be heard by an individual with normal hearing, specifically any of the following:

A.

Continuous animal noises are prohibited between the hours of 8:00 p.m. and 8:00 a.m.

B.

Construction, demolition and the use of chain saws, lawn mowers, leaf blowers, and other landscape maintenance equipment are each prohibited between the hours of 7:00 p.m. and 8:00 a.m. on all days and prohibited until 10:00 a.m. on Sunday, except in the event of an emergency requiring immediate construction or demolition.

[Amended 7-5-2017 by L.L. No. 2-2017]

C.

Radios, televisions, record players, amplified music, tape recorders and other like devices shall be so modulated as not to annoy or cause discomfort to surrounding neighbors at any time during the day.

D.

Between the hours of 7:00 p.m. and 8:00 a.m. on all days and prohibited until the hour of 10:00 a.m. on Sunday, minibikes, snowmobiles and motorcycles of any description designed for either on- or off-road use shall not be operated on private property closer than 200 feet to any residence except the residence of the owner or operator thereof or any residence to which the owner or operator may be invited.

[Amended 7-5-2017 by L.L. No. 2-2017]

E.

All other loud or raucous noises likely to annoy or disturb people are prohibited between the hours of ~~11:00 p.m.~~ 10:00 p.m. and 8:00 a.m. on Monday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Friday, Saturday and holidays and between the hours of 10:00 p.m. and 10:00 a.m. on Sundays. ~~prohibited until the time of 10:00 a.m. on Sunday.~~

[Amended 7-5-2017 by L.L. No. 2-2017]

E.

No internal combustion engine shall be operated at any time or place in the Village of Buchanan without an adequate muffler designed and manufactured to suppress exhaust noises to a minimum.

§ 119-6 Enforcement official.

The provisions of this chapter shall be enforced by the Police Department of the Village of Buchanan. A noise disturbance, or other violation of this chapter, may be substantiated by any of the following:

A.

Sworn affidavits from two or more unrelated persons who reside in different residences and who are in general agreement as to the times and durations of the noise; or

B.

Direct observation by an officer or official tasked with enforcement of this chapter, which includes, but is not limited to, review of a Police Officer's body worn camera.

§ 119-7 Penalties for offenses.

A.

~~A violation of this article is an offense punishable by a fine of not less than \$10 nor more than \$100. Each day's violation shall constitute a separate offense.~~

Any person violating any provision of this chapter shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed the sum of \$250. Each day shall constitute a separate offense, punishable by a like fine or penalty as herein set forth.

For each subsequent violation by a person who was previously convicted of the same violation of this chapter, and upon conviction thereof, shall be punished by a fine not to exceed the sum of \$500.00. Each day shall constitute a separate offense, punishable by a like fine or penalty as herein set forth.

B.

Notwithstanding the penalties hereinabove provided, the Village of Buchanan may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of any provision of this chapter.

C.

The foregoing provisions for enforcement of the regulations in this chapter are not exclusive; they are in addition to any and all laws applicable thereto.