

**Henderson Municipal Code**  
**Title 8 Public Peace and Safety**  
**Chapter 8.84 Noise Control**  
**Section 8.83.030 Prohibited acts**

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A. Noise Disturbances Prohibited. No person shall make, cause, create or continue any noise disturbance. Noise created as a result of, and within the bounds of, activities properly permitted under Chapters 4.96, 8.10 and 8.11 and Article 78 of the *Uniform Fire Code* is exempt from the operation of this chapter.

**B. Specific Prohibitions.** The following acts, and the causing, creating or continuation thereof, are declared to be in violation of this chapter:

1. Radios, television sets, musical instruments and similar devices. Operating, playing or permitting the operation or playing of any radio, television, phonograph, stereo, drum, musical instrument, sound amplifier, or similar device which produces, reproduces or amplifies sound:

a. In such a manner as to create a noise disturbance to any person residing or working in the vicinity; the operation of such device, set, instrument, phonograph or machine in such manner as to be plainly audible to the human ear at a distance of fifty feet from the source of the noise shall be prima facie evidence of a violation of this chapter;

b. In such a manner as to create a noise disturbance at a distance of fifty feet from such set or device when operated in or on a motor vehicle on a public right-of-way or public space;

c. This section shall not apply to noncommercial spoken language covered under paragraph 2.

**2. Loudspeakers and Public Address Systems.** Using or operating for any purpose any loudspeaker, public address system, or similar device (1) such that the sound therefrom creates a noise disturbance across a real property boundary; or (2) between the hours of eleven p.m. and seven a.m. the following day on a public right-of-way or public space; or (3) on a truck or motor vehicle, either moving or standing, for advertising or other purposes.

**3. Street Sales.** Offering for sale or selling anything by shouting or outcry within any residential or commercial area of the city.

4. Yelling, Shouting, Hooting, Etc. Yelling, shouting, hooting, whistling or singing on the public streets, between the hours of eleven p.m. and seven a.m., or any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in any hospital, dwelling, hotel or any other type of residence or any persons in the vicinity.

**5. Animals and Birds.** The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

6. Exhaust Discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine except through a muffler or sound dissipation device.

**7. Building Operations.** The erection (including excavation), demolition, alteration or repair of any building in any new or existing residential district or section, the excavation of streets and highways in any new or existing residential district or section, **other than between the hours of six a.m. and six p.m., except in case of urgent necessity in the interest of public health and safety, and then only with a permit** from the superintendent of building, which permit may be granted for a period not to exceed thirty days while the emergency continues, is hereby prohibited. If the superintendent of building should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets in any new or existing residential district between the hours of six p.m. and six a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done between the hours of six p.m. and six a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

**8. Noises Near Schools, Hospitals, Churches, etc.** The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof.

**9. Loading and Unloading.** Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects between the hours of eleven p.m. and seven a.m. the following day in such a manner as to cause a noise disturbance across a residential real property boundary.

**10. Vehicle or Motorboat Repairs and Testing.** Repairing, rebuilding, modifying, or testing any motor vehicle, motorcycle, or motorboat in such a manner as to cause a noise disturbance across a residential real property boundary.

**11. Emergency Signaling Devices.**

a. The intentional sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren whistle or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in subsection (B)(11)(b) of this section.

b. (i) Testing of a stationary emergency signaling device shall occur at the same time of day each time such a test is performed, but not before eight a.m. or after nine p.m. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed sixty seconds.

(ii) Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur more than once in each calendar month. Such testing shall not occur before eight a.m. or after six p.m. The time limit specified in (i) shall not apply to such complete system testing.

C. Sounding or permitting the sounding of any exterior burglar alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within fifteen minutes of activation. (Ord. 2096 § 1, 2002)

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