

**TOWN OF SUGAR HILL
NOISE ORDINANCE**

Pursuant to the authority conferred by New Hampshire Revised Statutes Annotated, Chapter 31:39, in order to promote the general welfare of the citizens of the Town of Sugar Hill, the following ordinance is hereby enacted:

NOISE VIOLATIONS:

- I. A person violates this ordinance, by:
 - a. Making loud or unreasonable noises in a public place or making loud or unreasonable noises in a private place which can be heard in a public place or other private places, which noises would disturb a person of average sensibilities;

*I a. Remove "which noise would disturb a person of average sensibilities"
Replace with
"The maximum permissible sound pressure level of any activity regulated by this ordinance shall be established by the time period and type of zoning district listed below. Sound pressure levels shall be measured at all major lot lines, at a height of at least four (4) feet above the ground surface of the upper most levels of the building. Sound from any source controlled by this ordinance shall not exceed the following limits at the property line of the "sender" premises.*

	6 am to 10 pm	10 pm to 6 am
General Residence	55	45
Rural Residence, One	60	50
Rural Residence, Two	60	50
Shorefront Overlay	60	50

Where the emitting and receiving premises are in different districts, the limits governing the stricter district shall apply to any regulated noise entering that district.

Noise shall be measured with a sound meter meeting the standards of the American National Standards Institute (ANSI S1.4 - 1983 American Standard Specification for General Purpose Sound Level Meters). The instrument shall be set to the A-weighted response scale, and the meter to the slow response. Measurements shall be conducted in accordance with ANSI S 12.31 and S 12.32 American Standard Meter for the Physical Measurement of Sound.

- b. Making loud or unreasonable noises by operating any mechanically powered saw, grinder, drill, lawn mower or garden tool, or similar device used outdoors, with exception of snowblowers, between 10:00 PM and 6:00 AM; or
 - c. Making loud or unreasonable noise, by unloading,

opening, closing, or otherwise handling boxes, crates, containers, building materials, trash cans, dumpsters, or similar objects between the hours of 10:00 PM and 6:00 AM; or

- d. Making loud or unreasonable noises by operating a snowmobile or all terrain vehicle (ATV) between the hours of 10:00 p.m. and 6:00 a.m.; or
- e. Operating any motor vehicle within the Town of Sugar Hill so as to make excessive noise by any of the following means:
 - 1. Misuse of power, acceleration or traction so as to spin the wheels in the manner commonly known as "laying rubber."
 - 2. Misuse of brake and stopping power in the deceleration of a motor vehicle where no emergency exists.
 - 3. Misuse of power, acceleration or traction by means of rapid upshift or downshift of transmission gears.
 - 4. Racing of engine by means of the accelerator, carburetor, gear selector, either when the motor vehicle is in motion or stationary.
- f. Making loud or unreasonable noises by discharging a firearm after the hours of 10:00 p.m. and before sunrise except when the firearm is discharged while actually engaged in any night time hunting permitted by state statute; or
- g. Continuing, or causing or allowing to be made or continued any action under the foregoing sections (a), (b), (c), or (d).

II. In this section:

- a. "Public Place" means any place to which the public or a substantial group has access. The term includes, but is not limited to, public ways, sidewalks, schools, hospitals, government offices or facilities, and the lobbies or hallways of apartment buildings, dormitories, hotels or motels.

III. EXEMPTIONS:

- a. The following uses and activities shall be exempt from disorderly actions regulations:

1. noises of safety signals and warning devices when used for the purpose for which they were intended and emergency pressure relief valves;
2. noises resulting from any authorized vehicles, when responding to an emergency call or acting in time of emergency;
3. noises resulting from emergency and maintenance work as performed by the Town of Sugar Hill, The State of New Hampshire, Sugar Hill Highway Department, Public Utility Companies, noises resulting from the provision of municipal services; noises resulting from private snowplowing services;
4. any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit thereof has been granted or issued by the Town of Sugar Hill;
5. parades and public gatherings for which the Town of Sugar Hill has issued a permit;
6. bells, chimes or carillons that are presently installed and in use for any purpose;
7. agricultural operations under RSA 430 c:1, c:2, c:3, c:4.

8. In accordance with RSA 159-B:1, this section does not apply to owners of rifle, pistol, silhouette, skeet, trap, blackpowder or other similar ranges, in existence prior to the enactment of this ordinance, provided that the owners of the ranges are in compliance with any applicable noise control laws or ordinances in existence at the time construction of the range was approved.

IV. APPLICATION FOR SPECIAL PERMIT:

Prior to the commencement of activity which may violate this ordinance, application for a special permit for relief from this ordinance on the basis of undue hardship may be made to the Board of Selectmen. Any permit granted by the Selectmen shall be in writing and set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.

V. Any person who violates the provisions of this ordinance shall be fined a minimum of up to one hundred (\$100.00) for the first offense and not more than one thousand (\$1,000.00) for a subsequent offense.

Given under our hands and seal this day of , 1999.

Selectmen:

Selectmen:

Selectmen:

Received and Recorded/Town Clerk: