

City of Saco, ME
Tuesday, August 7, 2012

Chapter 149. NOISE

[HISTORY: Adopted by the City Council of the City of Saco 5-1-1995 as Ch. III, Sec. 3-3, of the 1994 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Alarm systems — See Ch. 57.
Animals — See Ch. 64.
Building construction — See Ch. 73.
Peddling and soliciting — See Ch. 156.
Recreational vehicles — See Ch. 169.
Solid waste collection — See Ch. 181, Art. I.
Street excavations — See Ch. 186, Art. I.
Vehicles and traffic — See Ch. 211.

§ 149-1. Purpose.

The purpose of this chapter is to ensure that citizens are not disturbed by loud or annoying noises that prevent the peaceful enjoyment of routine and normal activities.

§ 149-2. Loud or unusual noises.

No person shall, in any area which includes residential land uses (including hotels and motels), make, continue or cause to be made or continued any loud or unusual noises which shall interfere with normal activities or annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. Loud or unusual noises shall include but not be limited to:

- A. The sounding of any horn or signaling device, except as a danger warning.
- B. The playing of any machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants and passersby.
- C. The use of any loudspeaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building or for the purpose of communication within a business building.
- D. Yelling, shouting, hooting, whistling or singing.

§ 149-3. Construction and maintenance activities.

[Amended 12-1-2008]

- A. Construction and maintenance activities shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. within 500 feet of any building used for residential, hospital or nursing home purposes except as provided in § 149-5.
- B. Construction activities shall include but not be limited to the following:

- (1) The use or operation of power or heavy equipment in connection with road, street or bridge construction, reconstruction or repair.
- (2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables.
- (3) The use or operation of power or heavy equipment in connection with the construction of buildings, including, specifically, excavations for foundations or landscaping work of any kind.
- (4) The renovation, repair, remodeling or demolition of any existing building or structure.

§ 149-4. Waste collection.

[Amended 8-22-2005; 12-1-2008]

- A. Commercial waste collection shall be restricted to the hours between 6:00 a.m. and 5:00 p.m.
- B. Residential waste collection shall be restricted to the hours between 6:00 a.m. and 8:00 p.m.

§ 149-5. Exemptions.

[Added 12-1-2008 *Editor's Note: This ordinance also renumbered former §§ 149-5 and 149-6 as §§ 149-6 and 149-7, respectively.*] Exemptions are as follows:

- A. Situations where the Public Works Department determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representative gives notice to the Director of Public Works of the time and scope of such proposed activity.
- B. Noise generated by private snow plowing and removal equipment.
- C. Noise from domestic power equipment, such as but not limited to power saws, sanders, grinder, lawn and garden tools or similar devices operated during normal work hours.
- D. The noises of safety signals, warning devices, emergency pressure relief valves, and any other emergency activity.
- E. Timber harvesting (felling trees and removing logs from the woods) during normal work hours.
- F. Noise generated by any construction or demolition equipment which is operated during normal work hours.
- G. Emergency construction or repair work by the federal and state entities or public utilities is exempted.
- H. Noise created by municipal vehicles or their agents engaged in municipal operations, including but not limited to plowing, the removal of snow, street cleaning, and painting activities.
- I. Noise generated by the curbside collection of municipal waste and recycling may be extended beyond 8:00 p.m. with approval of the Director of Public Works or his or her designee with just cause. Additionally, the Director of Public Works may allow the start of collection earlier than 6:00 a.m., during periods of extraordinary accumulation of curbside waste and recycling material, including, but not limited to, holiday overflow allowances.
- J. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the City, including, but not limited to, parades, sporting events, concerts, and fireworks displays.

§ 149-6. Recreational vehicles.

[Amended 12-1-2008] Use of recreational vehicles, which shall include but not be limited to all-terrain vehicles, snowmobiles and dirt bikes, in areas which include residential uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.

§ 149-7. Enforcement; violations and penalties.

- A. This chapter shall be enforced by the Code Enforcement Officer and/or the Police Department.
- B. Violators of this chapter shall be subject to a fine not to exceed \$100 per occurrence. Each day that a violation continues shall be considered a separate occurrence.