

## CHAPTER 95: NOISE CONTROL

### Section

- 95.01 [Definitions](#)
- 95.02 [Loud, disturbing, and unnecessary noise](#)
- 95.03 [Exemptions](#)
- 95.04 [Injunctions](#)

### ***Statutory reference:***

*County authority to regulate noise, see G.S. §153A-133*

### **§ 95.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***FREQUENT.*** Occurring on at least one occasion every four hours.

***UNNECESSARY.*** Without any business or economic purpose.  
(Ord. passed 7-6-87)

### **§ 95.02 LOUD, DISTURBING, AND UNNECESSARY NOISE.**

(A) Subject to the provisions of this section, the creation of any unreasonably loud, disturbing, raucous and unnecessary noises which annoy or disturb a reasonable person of normal sensibilities in the county is prohibited. Noise of such character, intensity, and duration as to be detrimental to the health, safety, or welfare of any individual is prohibited.

(B) The following acts, among others, are examples of prohibited noises and where such noises would annoy or disturb a reasonable person, same are deemed to be in violation of this ordinance, but such enumeration shall not be deemed to be exclusive:

(1) The use of any loud, boisterous, or raucous language or shouting so as to annoy or disturb the peace, quiet, comfort, or repose of residents of the area.

(2) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out-of-control, or if in motion only as a danger signal; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of the device for an unnecessary and unreasonable period of time.

**Haywood County – General Regulations**

(3) The playing of any radio, phonograph, television set, or other machine or device for the producing or reproducing of sound, or musical instrument, in such manner or with such volume, particularly during hours between 10:00 p.m. and 7:00 a.m., as to annoy or disturb the peace, quiet, comfort, or repose of the residents of the area.

(4) The using or operating of any loudspeaker or sound amplifying device mounted upon any vehicle for the purpose of broadcasting or advertising any information about any business or activity for any other purpose, unless a permit for such sound amplification has been obtained from the sheriff.

(5) The repairing, rebuilding, or testing of any motor vehicle between the hours of 10:00 p.m. and 7:00 a.m. within any residential area in such a manner as to annoy or disturb the peace, quiet, and comfort of the residents of the area.

(6) The keeping of any dog or bird which, by causing frequent or long continued barking or other noise, within any residential area in such a manner as to annoy or disturb the peace, quiet, and comfort of the residents of the area.

(7) The creating of any excessive noise on any street adjacent to any school, institution of learning, or church, while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of the institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school or hospital street.

(8) The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise. (Ord. passed 7-7-81; Am. Ord. passed 7-6-87; Am. Ord. passed 11-20-95) Penalty, see § 10.99

**§ 95.03 EXEMPTIONS.**

The following uses and activities shall be exempt from the noise regulations set forth in this chapter:

(1) Noises of safety signals and warning devices.

(2) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.

(3) Noises resulting from emergency work, to be construed as work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger.

(4) Noises resulting from justice officers who are undergoing qualification or requalification with firearms, on an approved range pursuant to the mandated course of fire as specified under the

regulations of the Justice Training and Standards Commission and other minimum training requirements and in-service firearms requalification specifications as are set forth from time to time in the regulations published in the North Carolina Administrative Code and adopted pursuant to G.S. Chapters 17C and 17E, provided, however, that this exemption shall not apply on Sundays or after 11:00 p.m. on Mondays through Saturdays.

(Ord. passed 7-7-81; Am. Ord. passed 7-16-90)

**§ 95.04 INJUNCTIONS.**

The operation or maintenance of any device, vehicle, or machinery in violation of any provision of this chapter which causes discomfort or annoyance to reasonable persons of normal sensitivity or which endangers the comfort, repose, health, or peace of residents of this county, shall be deemed, and is declared to be, a public nuisance, and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

(Ord. passed 7-7-81)