

Town of Sunapee

Noise Ordinance

By virtue of the Authority granted to the Town of Sunapee, NH pursuant to RSA 31:39, I(n) the Town hereby adopts the following ordinance regulating unreasonable noise:

- I. It shall be unlawful in the Town of Sunapee to cause a breach of the peace by making loud and unreasonable noises in a public place, or making loud and unreasonable noises in a private place which can be heard in a public place or other private places which noises disturb a person of average sensibilities.
- II. A “noise disturbance” shall mean an unreasonably loud noise which either disrupts, injures, or endangers the comfort, repose, health, peace or safety of others.
- III. It shall be unlawful to cause noise disturbance between the hours of 10:00 pm and 6:30 am created by unloading, opening, closing or otherwise handling of boxes, crates, containers, building material, trash cans, dumpsters or similar objects.
- IV. It shall be unlawful to cause noise disturbance between the hours of 10:00 pm and 6:30 am Monday through Thursday and between 11:00 pm and 6:30 am Friday and Saturday and 10:00 pm to 8:30 am on Sundays and Holidays created by the following;
 - The operation or use of construction vehicles and equipment to include but not limited to bulldozers, graders, dump trucks, backhoes, cement mixers, power hammers, staple or nail guns, power tools such as drills, saws, grinders, sanders, chain saws, lawn mowers, hedge trimmers, lawn edgers and hammers.
 - Social gatherings, music, etc.
- V. It shall be unlawful for any person to operate a motor vehicle, on a public way or right of way, so as to make any loud, unusual, or unnecessary noise caused by any one or more of the following actions by the operator;
 - misuse of power;
 - exceeding tire traction limits in acceleration where there is no emergency;
 - misuse of braking power exceeding tire traction limits in deceleration where there is no emergency;
 - rapid acceleration by means of quick up-shifting of the transmission gears with either a clutch or manual transmission or automatic transmission;

- racing of engine by manipulation of the accelerator, gas pedal, carburetor whether vehicle is in motion or stationary and causes loud noise to emit from the exhaust; and
 - car horns and/or signal devices: The sounding of any horn or signaling device except as a danger warning; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle or other device operated by engine exhaust.
- VI Exemptions from this ordinance shall include the following,
- Safety signals, warning devices and emergency pressure relief valves.
 - Noises resulting from an authorized vehicle, when responding to an emergency call or, acting in time of emergency.
 - Noises resulting from emergency maintenance work as performed by the Town, State or Public utilities, to include the removal of snow or debris. Municipal maintenance work, where the abutters to the work site, have been given prior notice of the project.
 - Any other noise resulting from activities permitted by law, for which a license or permit has been granted by the Town, and which noise or activity is within any noise or operational limitations imposed by the town as part of its permit or license approval.
 - Snow blowers and other types of private or commercial snow removal operations,
 - Parades and public gatherings for which the Town has issued a permit
 - where a permit has been issued by the Sunapee Road Agent for early morning transportation of material when the roads have been posted by weight.
 - the unamplified human voice.
- VII. Violations;
1. First Offense: Written warning
 2. Second Offense: \$250.00 fine
 3. Third Offense and subsequent violations: \$500.00 fine

Adopted 12/03/2012