

TOWN OF DILLSBORO NOISE REGULATION ORDINANCE

SECTION 1: AUTHORITY, PURPOSE, AND SCOPE

1.1: Authority: By authority of NC General Statute §160A-174, the Town of Dillsboro hereby places this ordinance in effect to promote and protect the public health, safety, and welfare of the citizens and visitors to Dillsboro, and for the peace and dignity of the town.

1.2: Purpose: The purpose of this ordinance is to protect and enhance the quality of the commercial and residential environment by restricting the emission of noise or amplified speech, music, or other sounds that might tend to annoy, disturb, or frighten the citizens of or visitors to the Town of Dillsboro.

1.3: Scope: The scope of this ordinance deems it unlawful for any person to create or assist in creating unreasonably loud, disturbing sound levels within the Town of Dillsboro. Consideration is given to the volume, duration, frequency, and other characteristics of the sound.

SECTION 2: GENERAL PROVISIONS

The following provisions may be considered unreasonably loud and disturbing; however, these provisions are not exclusive, nor are violations limited to this list:

2.1: Musical instruments or sound amplification equipment: All musical or amplified sound of any kind that can be heard from an adjoining property.

2.2: Speech or electronic sounds: All speech or electronic sounds, be it amplified or not, that can be heard from an adjoining property.

2.3: Animal Noises: The keeping of animals or birds which make frequent or continuous loud sounds which would disturb persons in the vicinity of the animal, such that a reasonably prudent person would recognize the sounds as disturbing.

2.4: Vehicles: Vehicles or motorcycles that are in such disrepair or modified in such a manner as to create unreasonably loud or disturbing sounds.

SECTION 3: PERMITTING FOR REGULATED ACTIVITIES

Individuals who wish to engage in activities regulated by this ordinance may obtain a Regulated Noise Permit available through the Town Clerk's office. The following conditions shall apply to Regulated Noise Permit:

3.1: Hours: No permit shall be issued for the hours of 10:00 p.m. to 10:00 a.m.

3.2: Fees: Fees for the permit shall be set by the Town of Dillsboro Fee Schedule.

3.3: Special Conditions: Permits may contain appropriate special conditions deemed necessary to minimize the disruptive impact of the activity.

3.4: Revocation: Permits may be revoked if it is determined that the authorized activity has resulted in unreasonably loud or disturbing sound levels.

3.5: Review: Should an application be denied, a permit be revoked, or permit be issued with conditions unacceptable to the applicant, the applicant or permit holder may request the matter to be reviewed by the Dillsboro Board of Aldermen. The request for review should be made in writing to the Town Clerk and will be reviewed at the next regularly scheduled Board meeting.

SECTION 4: PENALTY FOR VIOLATIONS

Violations of any provision of this ordinance may result in the person(s) being charged with a civil fine or with a criminal misdemeanor under provision of NC General Statute § 14-4.

4.1: Civil Fine: Person(s) who are charged with violating this ordinance shall receive a civil fine of \$75.00 for the first violation. A second violation within 365 days from the first violation will be charged a civil fine of \$150.00, and the fine for each additional violation shall increase by \$75.00 per violation for 365 days following the first violation.

4.2: Criminal Misdemeanor: Person(s) who are charged with violating this ordinance may be charged with a criminal misdemeanor.

This ordinance shall be in full force and effect upon adoption and shall replace any previous ordinances referencing noise regulation.

Adopted on this, the 8th day of April, 2019.

FOR THE TOWN OF DILLSBORO, NORTH CAROLINA:


MICHAEL T. FITZGERALD, MAYOR

Attest:


Debra B. Coffey, Town Clerk