
Chapter 219, NOISE

[HISTORY: Adopted by the Village Board of Village of Cottage Grove 7-2-1984 as Secs. 10.06 and 10.25 of the 1984 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Alarm systems -- See Ch. 106.

Animals -- See Ch. 116.

§ 219-1. Loud and unnecessary noise. [Amended 12-18-1996]

- A. Loud and unnecessary noise prohibited. No person shall use within the village any equipment for the amplification of sound so as to cause such amplified sound to be transmitted into a public street, alley or public place unless a permit has been granted, which states the time and place of the event, by the Village of Cottage Grove. It shall be unlawful for any person knowingly or wantonly to use or operate, or to cause to be used or operated, any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice or any sound or noise in any public or private place in such manner that, in the opinion of the enforcing officer, the peace and good order of the neighborhood are disturbed or that persons owning, using or occupying property in the neighborhood are disturbed or annoyed.
- B. Types of loud and unnecessary noises. The following acts are declared to be loud, disturbing and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive:
- (1) Operation of motor vehicles. The sounding of any horn or signaling device on any motor vehicle or other vehicle on any street or public place in the village for longer than three seconds in any period of one minute or less, except as a danger warning; the creation of any unreasonably loud or harsh sound by means of accelerating, racing and/or operating a motor engine, by any signaling device and the sounding of any plainly audible device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up; and the operation of a motor vehicle to cause the tires to squeal excessively.
 - (2) Radios, phonographs and similar devices. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in a manner as to be plainly

audible at the property line of the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this subsection. This subsection shall not apply to the Cottage Grove Fireman's Festival or other sanctioned events at Fireman's Park.

- (3) Loudspeakers and amplifiers for advertising. Unless otherwise authorized by the Village of Cottage Grove, the using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.
- (4) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor boat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (5) Construction or repair of buildings. The erection (including excavation), demolition, alteration or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or any other similar equipment attended by loud or unusual noise, other than between the hours of 7:00 a.m. and 10:00 p.m.; provided, however, that the Building Inspector shall have authority, upon determining that the loss or inconvenience which would result to any party in interest would be extraordinary and of such nature to warrant special consideration, to grant a permit for a period necessary within which time such work and operation may take place within the hours of 10:00 p.m. to 7:00 a.m.
- (6) Schools, courts, churches and medical offices. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or municipal court while in use, or adjacent to any medical office, which unreasonably interferes with the normal operation of that institution or which disturbs or unduly annoys patients in the medical office, provided that conspicuous signs are displayed in those streets indicating the existence of a school, institution of higher learning, church, municipal court or medical office. No person, while on public or private grounds adjacent to any building, or while within any building, in which a school or any class thereof is in session shall willfully make or assist in the making of any noise or diversion which disturbs or tends to disturb the peace or good order and operation of such school session or class thereof.
- (7) Compression brakes (also known as "jake brakes") prohibited. [Added 6-7-1999]
 - (a) No person shall use motor vehicle brakes/compression brakes (hereafter "brakes") or operate a motor vehicle using brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.

(b) The prohibition contained in Subsection B(7)(a) shall not apply to fire, police, EMS and/or other emergency vehicles.

C. Exceptions. The provisions of this section shall not apply to:

- (1) Any vehicle of the village while engaged in necessary public business.
- (2) Excavations or repairs of streets or other public construction by or on behalf of the village, county or state at night when public welfare and convenience render it impossible to perform such work during the day.
- (3) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in nature.

D. Permits for amplifying devices.

- (1) Permit required. The use of loudspeakers or amplifying devices on the streets or in the parks of the Village of Cottage Grove is prohibited unless the party desiring to use such loudspeaker or amplifying device first obtains a permit from the Village of Cottage Grove.
- (2) Grounds or reasons for denial or allowance. The Cottage Grove Law Enforcement Department shall have the authority to revoke such permit when an officer determines such loudspeaker or amplifying device is becoming a nuisance because of the volume, the method in which it is being used or the location in which it is being operated.
- (3) Time restrictions. The Village of Cottage Grove shall not grant a permit to use a loudspeaker or amplifying device before the hours of 9:00 a.m. or after 10:00 p.m. No permit shall be granted to anyone who, in the opinion of the Cottage Grove Law Enforcement Department, uses said loudspeaker or amplifying device in such a manner or for such purpose as to constitute a nuisance.

§ 219-2. Violations and penalties.

Any person who violates any provisions of this chapter shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-19 of this Code.