

## **Chapter 9.45 NOISE CONTROL**

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### **9.45.010 Declaration of Policy.**

It is declared the policy of the county to minimize the exposure of citizens to adverse effects of excessive noise and to protect, promote, and preserve the public health, safety and welfare. It is the express intent of the board of county commissioners to control the level of noise in a manner which promotes commerce; the use, value, and enjoyment of property, sleep and repose; and the quality of environment.

### **9.45.020 Public Disturbance – Finding of Special Conditions.**

The making, creation or maintenance of excessive, unnecessary or unusual loud noises which are prolonged and unusual in their time, place and use, affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the people of the county. The board of county commissioners and the county sheriff's department have received numerous citizen's complaints regarding noise and believe such noise constitutes a public disturbance. Special conditions within the county make necessary any and all differences between this chapter and regulations adopted by the Department of Ecology.

### **9.45.030 Public Disturbance – Noise Unlawful When.**

(1) It is unlawful for any person to make, continue, or cause to be made or continued or any person in possession of property to make, continue, or cause to be made or continued or allow to originate from the property any sound which:

(a) Is plainly audible within any dwelling unit which is not the source of the sound or is generated within two hundred feet of any dwelling unit, and;

(b) Either reasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

(2) Sound which is "plainly audible" is sound that can be understood or identified.

### **9.45.040 Exemptions.**

The following sounds are exempt from the provisions of this chapter:

(1) Sounds originating from aircraft in flight and sounds which originate at airports and are directly related to flight operations;

(2) Sounds created by safety and protective devices, such as relief valves, where noise suppression would defeat the safety release intent of the device;

(3) Sounds created by fire alarms;

- (4) Sounds created by emergency equipment and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community;
- (5) Sounds created by the discharge of firearms in the course of lawful hunting or target practice activities;
- (6) Sounds created by natural phenomena;
- (7) Sounds originating from [lawful] forest harvesting and silviculture activity, and from commercial agriculture;
- (8) Sounds created by auxiliary equipment on motor vehicles used for highway maintenance;
- (9) Sounds created by off-highway vehicles while being used in officially designated off-road vehicle parks. Such off-road vehicles are nevertheless subject to the provisions of RCW Chapter 46.09;
- (10) Sounds created by warning devices not operated continuously for more than thirty minutes per incident;
- (11) Sounds created by the operation of equipment or facilities of surface carriers engaged in commerce by operating on the railroad;
- (12) Sounds created by construction or refuse removal equipment;
- (13) Sounds originated from officially sanctioned parades and other public events;
- (14) Sounds created by motor vehicles while being driven upon public highways. Such motor vehicles are nevertheless subject to the provisions of WAC Chapter 173-62;
- (15) Sounds originating from motor vehicle racing events at authorized facilities;
- (16) Sounds created by unamplified human voices from 6:00 a.m. to 10:00 p.m.;
- (17) Sounds created by lawn and garden equipment from 6:00 a.m. to 10:00 p.m.;
- (18) Sounds created by lawfully established commercial and industrial uses;
- (19) Sounds created by commercial kennels, veterinaries, animal shelters, pet shops, grooming parlors, commercial dog breeders;
- (20) Sounds created in conjunction with military operations or training.

#### **9.45.050 Enforcement.**

The county sheriff and other law enforcement officers are authorized and directed to enforce the provisions of this chapter. The provisions of this chapter shall be cumulative, nonexclusive, and supplementary, and shall not affect any other remedy, including without limitation, the provisions of Chapter 70.107 RCW.

#### **9.45.060 Violation – Penalty.**

Any person who violates the provisions of this chapter, shall, upon a finding of having committed the civil infraction thereof, be punished by a civil penalty not to exceed five hundred dollars.