

ORDINANCE 1478

AN ORDINANCE AMENDING TITLE IX, GENERAL REGULATIONS; CHAPTER 90, HEALTH AND SAFETY; NUISANCES; SECTION 90.01 OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, TO AMEND THE HOURS OF NOISES PROHIBITED TO PROVIDE CONSISTENT HOURS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 90, Section 90.01 be amended as follows:

§ 90.01 NOISES PROHIBITED.

(2) Stereos, radios, television sets, musical instruments, and similar devices.


(a) Using, operating, or permitting the use or operation of any stereo, radio, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound, except as provided for in division (B)(1) above, in such a manner as to violate this section or cause a noise disturbance.

(b) The operating of any such device between the hours of 11:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at the property boundary of the source or plainly audible at 50 feet from the device when operated within a vehicle parked on a public right-of-way or when operated from within a private residence.

(3) Maximum permissible sound levels. It shall be unlawful for any person to operate or permit the operation of any stationary source of sound in such a manner as to create a sound pressure level during any 10-minute measurement period which exceeds the limits set forth for the following receiving land use districts when measured at the boundary or at any point within the property affected by the noise. Sound level measurements shall be made at a distance of 50 feet from source with a sound level meter of type 2 or better, using the "A" weighting scale, in accordance with standards promulgated by the American National Standards Institute.

<i>Use District</i>	<i>11:00 p.m. to 7:00 a.m.</i>	<i>7:00 a.m. to 11:00 p.m.</i>
Residential	50 dB(A)	55dB(A)
Commercial	55 dB(A)	60dB(A)
Industrial and Agricultural	75 dB(A)	80dB(A)

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By: 
Jonathan D. Cole, Mayor

ATTEST:

By: *Katie E. Redden*
Katie E. Redden, Finance Officer



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