

9.12.020 - Disturbing the Peace

9.12.021 - Purpose

This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace and quiet of the citizens of Oregon City through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety, or causes public inconvenience, annoyance or alarm to reasonable persons of ordinary sensitivity.

9.12.022 - Findings

The City Commission of Oregon City finds as follows:

Loud and raucous noise degrades the environment of the City to a degree that:

- A. is harmful to the health, welfare, and safety of its inhabitants and visitors;
- B. interferes with the comfortable enjoyment of life and property;
- C. interferes with the well-being, tranquility, and privacy of the home; and
- D. both causes and aggravates health problems.

9.12.023 - Noises Prohibited

The following acts are declared to be a violation of this Ordinance. This enumeration does **not** constitute an exclusive list:

- A. Unreasonable Noises: The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonable loud, boisterous or unusual noise, disturbance, commotion or vibration in a boarding facility, dwelling, place of business or other structure, or upon any public street, park or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturbs the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.
- B. Noisy Animals: Barking dogs or other unreasonably noisy animals which disturb the comfort of any person in the vicinity for a period of 15 minutes in any hour except for animals provoked by a person trespassing, threatening to trespass, or taunting of the animal.
- C. Sound producing or reproducing equipment: Operating or permitting the unreasonable use or operation of any device designed for sound production or reproduction in such a manner as to cause an unreasonable noise; or operating or permitting the operating or use of any such device between the hours of 10 pm and 7 am.

- D. Operation of mechanically powered domestic tools: Lawn equipment, garden tools, chainsaws, blower or similar devices, in a residentially zoned neighborhood between the hours of 10 pm and 7 am.
- E. Yelling, Shouting, and Similar Activities: Yelling, shouting, hooting in residential or in public places, between the hours of 10 pm and 7 am, or at any time or place so as to unreasonably disturb the quiet, comfort, of reasonable persons. This section is to be applied only to those situations where the disturbance is not a result of the content of the communication but due to the volume, duration, location, timing or other factors.
- F. Motor Vehicles: (1)The parking of any motor vehicle of 10,000 pounds GCWR, or more, with the motor or attached auxiliary equipment in operation on private property in such a manner as to be plainly audible within any dwelling unit between the hours of 10 pm and 7 am. (2) No person may operate, and no owner of any vehicle may permit to be operated, any motor vehicle so as to cause any greater noise or sound than is reasonably necessary.

9.12.024 - Exemptions

The following sounds are exempted from the provisions of this Ordinance:

- A. Sounds caused by the performance of emergency work or training thereof, or by the ordinary and accepted use of emergency apparatus and equipment.
- B. Outdoor School and Playground Activities. Reasonable activities conducted on public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events
- C. Other Outdoor Events. Reasonable activities conducted at outdoor public gatherings, public dances, shows and sporting events.
- D. Blasting, under permit.
- E. Sounds made by warning devices.
- F. Sounds caused by power tools during the hours of 7 am and 10 pm
- G. Sounds caused by the services performed to the community associated with garbage, towing of vehicles, franchised hauler companies, commercial construction equipment, ice cream trucks, commercial transportation of passengers, or to other vehicles being loaded or unloaded.
- H. Sounds resulting from legal fireworks on the third of July, Fourth of July, and the Friday and Saturday during the weekend closest to the Fourth of July of each year, between the hours of 7am and 10pm.
- I. Sounds made between midnight and 12:30 am on January 1 of each year.

9.12.025 - Authority

- A. A Code Enforcement Officer or a sworn Police Officer has authority to enforce the provisions of this Ordinance. That authority includes, but is not limited to:
 - 1. The issuance of citations for violation of this Ordinance.

2. Requiring the cooperation of the owner or operator of any noise source in the reasonable operation, manipulation, or shutdown of various equipment or operations as needed to ascertain the source of sound.
 3. The Code Enforcement Officer or sworn officer must have witnessed the violation occur for issuance of a citation.
- B. A person other than a Code Enforcement Officer or a sworn Police Officer may enforce the provisions of this ordinance pursuant to ORS 153.058.

9.12.026 - Enforcement

Administration and enforcement by Police or Code Enforcement Officers:

- A. First Offense: Persons violating the provisions of this ordinance shall, upon a first offense, receive a verbal or written warning to cease such activity or alter such equipment as is causing the violation.
- B. Second and subsequent offenses: persons violating the provisions after the first offense of this ordinance, for a second time, and subsequent times, may be issued a violation citation by either a Police Officer or Code Enforcement Officer.
- C. When responding to noise complaints at businesses, residences, or at locations where groups or organizations have gathered, the owner, manager or adult person in charge shall be held responsible for maintaining a reasonable noise level.
- D. A police officer or code enforcement, who believes that an object, including noisy animal(s), causing a sound believed to be a violation likely may be used to persist in causing additional violations of the provisions of this Ordinance, upon issuance of a citation, may seize the object and impound it.

9.12.027 - Penalty

The violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.