

Arlene D. Petit

Town Clerk

AN ORDINANCE AMENDING CHAPTER 22
OF THE CODE OF ORDINANCES OF THE
TOWN OF JAMESTOWN

The following proposed ordinance is intended to amend ARTICLE III. NOISE. Sec. 22-61 and 22-62. The ordinance contains new provisions under Sec. 22-63 through Sec. 22-68.

The Town of Jamestown hereby ordains:

ARTICLE III NOISE

Sec. 22-61. ~~Loud, unnecessary and excessive noises; prohibited generally~~ Statement of public policy.

~~It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the town.~~

The town council finds and declares that extreme and excessive noise affects the health, safety and welfare of its residents and citizens.

Sec. 22-62. ~~Prohibited acts; enumeration~~ Purpose, title and scope.

- (a) The purpose of this article is to establish objective standards to control extreme and excessive noise by setting maximum permissible sound levels for certain times and places in town.
- (b) This article may be cited as the “Noise Ordinance of the Town of Jamestown.”
- (c) This article applies within the town limits as specified below.

Sec. 22-63. Measurement of sound.

Decibel measurement under this article shall be made with a sound level meter, which shall be an instrument in good operating condition, meeting the requirements of a type I or type II meter, as specified by American National Standards Institute (ANSI) standard 1.4-1971. For purposes of this article, a sound level meter shall contain A-weighted scale and both fast and slow meter response capability.

Sec. 22-64. Freedom of Speech and Expression Unaffected.

This article should not be interpreted, construed or applied in a manner that is inconsistent or violative of the First Amendment to the U.S. Constitution or Article I, Section 21 of the Rhode Island Constitution.

Sec. 22-65. Prohibited Noises.

No person shall make, continue or cause to be made or continued, except as permitted, any noise in excess of the decibel limits set forth in this article.

Sec. 22-66. Maximum permissible sound levels.

<u>Zoning Category</u>	<u>Time</u>	<u>Decibel Limit</u>
<u>Residential, and open space</u>	<u>8:00 a.m. to 10:00 p.m.</u>	<u>70</u>
<u>(OS-I, OS-II, RR-200, RR-80,</u>	<u>10:00 p.m. to 8:00 a.m.</u>	<u>60</u>
<u>R-40, R-20, R-8)</u>		
<u>Business (neighborhood, waterfront and general)</u>	<u>ALL</u>	<u>75</u>
<u>(CL, CD, CW, DC)</u>		
<u>Public</u>	<u>ALL</u>	<u>75</u>

Sec. 22-67. Enforcement.

This article shall be implemented, administered and enforced by the town police department.

Sec. 22-68. Penalties.

Any person found to be in violation of this article shall be punished as follows:

- (1) The first offense shall be punished by the issuance of a written warning to cease and desist the violation.
- (2) The second offense shall be punished by a fine of \$25.00.
- (3) The third offense and each subsequent offense shall be punished by a fine of \$100.00.

Sec. 22-69 – 22-85. Reserved.

This Ordinance shall take effect upon passage.