

Sample of Municipal Noise Ordinance Provisions

Compiled by Mark Browning, 8/24/20

Below is a sample of various municipal noise ordinances as they relate to amplified sound other than motor vehicles.

Some places (like Lyons currently) do not specify decibel ("dB") limits, instead using "reasonableness" standards with differing measurement standards. (Lyons' ordinance -- which may have been taken from Longmont's -- is based on a point 25 feet from the source of the sound, the strictest standard I could find anywhere.) See also Estes Park (which repealed a dB-based standard), Berthoud and Brighton in the list below.

Others set dB standards, often at different levels for prescribed times (labeled "party time" and "quiet time" below). Where measurement is taken (X feet from noise source, X feet from or at property line of producing property, or at property line of receiving property) varies widely. So do "party time" and "quiet time" hours, with different hours sometimes being specified for different districts within municipal boundaries.

How sound is measured (what devices) is a little more standard under ordinances. "A-band sound level" ("dB(A)") is the most-often used, and requiring devices certified by the manufacturer to meet American National Standards Institute ("ANSI") standards -- not just apps downloaded on cell phones -- is fairly common.

For background, anyone seeking more detail on issues involved in drafting noise ordinances is invited to read this article: <https://corporate.findlaw.com/law-library/guidelines-for-drafting-municipal-noise-control-ordinances.html> A Google search for "measuring decibel levels" will produce hundreds of information sources. Have fun with that if you wish. A summary of such information prepared by a Minnesota state agency that I found helpful is here: <https://www.pca.state.mn.us/sites/default/files/p-gen6-01.pdf> (You may need to copy and paste those links.)

With that introduction, here is a summary of randomly-selected (but concentrating on Colorado communities) municipal noise ordinances

<u>Municipality</u>	<u>"Party Time"</u>	<u>"Quiet Time"</u>	<u>Reference Note</u>
Aspen	65/80	50	1
Austin	85	75	
Brighton	--	--	2
Boulder	55	50	

Durango	60	55	
Erie	55	50	
Estes Park	--	--	3
Fort Collins	60	55	4
Golden	82	82	
Lafayette	70	65	
Longmont	55	50	5
Nashville	85	--	6
Nederland	105	72	
Pinetop-Lakeside AZ	92	65	7

REFERENCE NOTES

1. Aspen – Special public events permits allow up to 100 dB at perimeter of event; permitted private (including business) events allow up to 80 dB.
2. Brighton – No dB limits specified, but amplified sound cannot be "plainly audible" 100 ft from source if on residential property or 200 ft from source if on commercial property.
3. Estes Park – Repealed its dB-based limits. Now, no amplified outdoor sound is allowed between 10 p.m. to 10 a.m. But on Friday and Saturday nights, it's allowed until 11 p.m. Standard: "unreasonable noise", with a list of factors to be considered.
4. Fort Collins – Perhaps with a view toward college parties/events, variances are allowed, but not to exceed 90 dB.
5. Longmont – Measured 25 ft from source of sound; may be source of Lyons' ordinance
6. Nashville – No set dB standard for regular hours in residential areas, where code prohibits amplified sound "plainly audible from boundary line of nearest residentially-occupied property."
7. Pinetop-Lakeside is a small Arizona mountain town (pop. 4300) that is a summer destination on a state highway, but not an Interstate – i.e., similar to Lyons. An initial draft of a proposed Lyons noise ordinance was taken mostly from Pinetop-Lakeside's municipal code.

