

**NOISE ORDINANCE**

**OF THE**

**TOWN OF CARMEL,**  
**Maine**

Adopted 03-04-96

1. TITLE : This ordinance shall be known as the Town of Carmel Noise Regulation Ordinance.

2. PRUPOSE : The making, creation or maintenance of any loud and raucous noise which, because of its volume, duration and/or character, injures or disturbs the comfort, health, peace or safety of reasonable persons of ordinary sensibilities is hereby declared a nuisance and subject to regulation. The purpose of this ordinance is to protect public health safety and welfare by controlling loud and raucous noises. This ordinance is adopted pursuant to the Home Rule powers contained in the Maine constitution and 30-A MRSA 3001 et seq.

3. DEFINITIONS : Loud and raucous noise: This term means any sound which, because of its volume, duration and/or character, annoys, disturbs, injures or endangers with comfort, health, peace or safety of reasonable persons of ordinary sensibilities. The term includes but is not limited to the kinds of noise or noise-generating activities listed in Section 4, except as provided in Section 5.

4. PROHIBITION : It is unlawful for any person to create, cause, maintain or allow any loud and raucous noise within the Town of Carmel between the hours of 10:00pm and 6:00am of the following morning. This prohibition includes but is not limited to the following noises or noise-generating activities.

- (a) The sounding of any motor vehicle horn except as a danger warning;
- (b) The squealing or screeching of the tires of a motor vehicle as except as may be caused by the braking of said vehicle in an emergency situation;
- (c) Frequent or continuous howling, barking or yelping of any dog;
- (d) Yelling, shouting, screaming, hooting or singing;
- (e) The use or operation of any radio, tape player, CD player, television receiver, amplifier, musical instrument, loud speaker, or any other device which produces or reproduces sound.

5. EXCEPTIONS : This ordinance does not prohibit the creation or maintenance of any noise which is reasonably necessary to protect the public health, safety and welfare, including but not limited to sirens, bells, whistles or other noises used by emergency vehicles; burglar alarms; and fire alarms. Neither does it prohibit noise emanating from Town of Carmel-sanctioned events, including but not limited to street dances that are considered part of Carmel Days. This ordinance does not limit or eliminate shooting activities that have occurred on a regular basis at any sport shooting range that has existed prior to the enactment of this ordinance, according to Title 30-A, Section 3011 (PL 1995, c.23 of the Maine Statutes).

6. PENALTIES : A violation of this ordinance is a civil violation, subject to the penalties of 30-A, M.R.S.A 4452 for violation of land use ordinances, including a penalty of not more then \$100.00 for each separate offence. Any penalty imposed for a violation of this ordinance shall be paid to the Town of Carmel. In addition to any penalty

imposed, the violator shall pay all court costs and reasonable fees of attorneys, incurred by the town in the prosecution of the case.

7. ENFORCEMENT : This ordinance shall be enforced by a Noise Ordinance Enforcement Officer or other agent who shall be appointed and authorized by, and responsible to, the Selectmen. The Noise Ordinance Enforcement Officer or other agent shall investigate complaints of loud and raucous noise, and may issue warnings or citations for violations of this ordinance. Violations of this ordinance may be prosecuted in the District Court pursuant to Rule 80K, Maine Rules of Civil Procedure.

1 8. Effective date and Severability. This ordinance shall become effective when adopted by a majority of voters present and voting at any annual or special town meeting, In the event that any provision of this ordinance is deemed unenforceable by a Court, the remaining provisions shall continue in full force and effect.

Adopted by Town Meeting, March 4, 1996