

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 10-O-674**

AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE SECTION 8.15.080, NOISE PREVENTION OF CHAPTER 8.15, NUISANCES, TITLE 8, HEALTH AND SAFETY, IN ITS ENTIRETY.

Section 1. Ordinance identified.

Section 2. Amends Section 8.15.080 in its entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Brookings Municipal Code Section 8.15.080, Noise Prevention, of Chapter 8.15, Nuisances, Title 8, Health and Safety, in its entirety.

Section 2. Amends Section 8.15.080. Section 8.15.080 is amended as follows:

8.15.080 Noise Prevention

A. It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuation of any unreasonably loud, disturbing, or unnecessary noise; and further, no person shall conduct or maintain any condition, activity, operation, vocation or avocation which causes unreasonably offensive noise to either the neighborhood or the public at large. In the case of noise that is generated due to an activity that is permitted within the zone, specifically in the case of industrial or manufacturing zones, such noise shall not be deemed unreasonably offensive.

B. The following acts are declared to be violations of this chapter, but said enumeration shall not be deemed to be exclusive:

1. The use of any automobile or other vehicle, engine, stationary or moving instrument, device or thing so out of repair or used in such manner as to create a loud or unnecessary grating, grinding, rattling or other such noise;

2. The sounding of any horn or signaling device on any automobile or other vehicle on any street or public place, except as a necessary warning of danger to property or person or as so used on emergency equipment;

3. Entertainment devices used in an abusive manner for the creation of prolonged and excessively loud noise;

4. The use of an electrical, mechanical or other device, apparatus, instrument or machine that causes interference with radio or television reception by radio or television receiver of good engineering design unless said device or apparatus is duly licensed, approved and operated under the rules and regulations of the Federal Communications Commission. [Ord. 07-O-591 § 2; Ord. 86-O-406 § 9.]

5. Any person who operates powered construction equipment; erects, constructs, demolishes, excavates for; alters or repairs any building, structure, roadway or utility within the city in such a

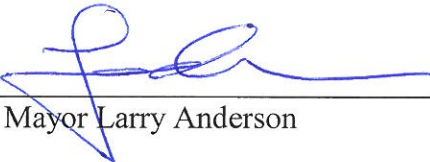
manner as to cause noise to be received beyond the boundaries of the property on which the construction work is occurring shall comply with the following:

- a. Except for the pouring of concrete and roofing, no construction work shall be performed before 7:00 a.m. or after 7:00 p.m. on weekdays.
- b. Except for the pouring of concrete and roofing, no construction work shall be performed before 8:00 a.m. or after 7:00 p.m. on weekends or holidays.
- c. Provided, however, that in case of urgent necessity, permission may be granted by the City Manager for construction activities to occur during otherwise proscribed hours.

First Reading: December 13, 2010
Second Reading: December 13, 2010
Passage: December 13, 2010
Effective Date: January 11, 2011


Signed by me in authentication of its passage this

13th, day of December, 2010



Mayor Larry Anderson

ATTEST:



City Recorder Joyce Heffington