

INCORPORATED VILLAGE OF PLANDOME MANOR
PROPOSED LOCAL LAW NO. 3 OF 2020
CHAPTER 147. NOISE
AMENDMENT OF PROVISIONS RELATING TO COMMERCIAL PHOTOGRAPHY

A local law to amend Chapter 147 of the Code of the Incorporated Village of Plandome Manor, entitled "Noise" to include decibel levels in the noise code.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Plandome Manor as follows:

Amend §147-1 Definitions to include the following:

A-WEIGHTED SOUND LEVEL [dB(A)]

The sound pressure level in decibels as measured on a sound level meter using the A-weighted network slow response. The level so read is designated dB(A).

DECIBEL (dB)

A unit for measuring the pressure level of a sound. For the purpose of this chapter, the standard reference pressure stated herein will be used to assure a consistent and standard reference for measuring sound. The sound pressure level measured in decibels is equal to 20 times the logarithm to the base ten of the ratio of the effective pressures of the sound measured to the reference pressure, such reference pressure being 20 micropascals (20 micronewtons per square meter).

IMPULSIVE SOUND

A sound characterized by brief excursions of peak sound pressure which significantly exceed the ambient sound.

L₁₀

The A-weighted sound level, measured with slow response, that is exceeded 10% of the time in a one-hour interval or equivalent thereof.

L₉₀

The A-weighted sound level, measured with slow response, that is exceeded 90% of the time in a one-hour interval or equivalent thereof.

SOUND LEVEL METER

An instrument, including a microphone, an amplifier, an output meter and frequency-weighting networks, for the measure of sound levels.

SOUND PRESSURE LEVEL

The weighted sound pressure level in decibels obtained by the use of a sound level meter and frequency-weighting network, such as A, B or C. If the frequency weighting employed is not indicated, the A-weighting slow response shall apply.

Amend §147-5(F) to add subsections 1 and 2

Construction. Any construction, excavation, demolition, alteration or repair, except between 8:00 a.m. and 5:00 p.m. on weekdays; 8:00 a.m. and 12:00 noon on Saturdays; and from 12:00 noon to 2:00 p.m. on Saturdays for alterations and repairs being done entirely indoors of a building when the noise resulting from such action is not audible outside the building in which such work is being performed; and except in cases of urgent necessity in the interest of public safety. Any construction is prohibited on Sundays or federal holidays.

- (1) At any other times such that the continuous sound in air level at or across a real property boundary exceeds an L10 of 80 dB(A); and
- (2) At any other time such that the impulsive sound in air has a peak sound pressure level at or across a real property boundary in excess of 130 dB(A).

Add New Section 147-7

Correction of excessive sound levels.

A. The Village shall order an immediate halt to any sound which exposes any person, except those excluded by Subsection B below, to continuous sound levels in excess of those shown in Table I below or to impulsive sound levels in excess of those shown in Table II below. Within one day following issuance of such an order, if the sound level is not reduced to a compliant level, the Village may either issue violation or apply to an appropriate court for an injunction to replace the order.

B. No order pursuant to Subsection A shall be issued if the only persons exposed to sound levels in excess of those listed in Tables I and II below are exposed as a result of:

- (1) Trespass.
- (2) Invitation upon private property by the person causing or permitting the sound.
- (3) Employment by the person or a contractor of the person causing or permitting the sound.

C. Tables.

- (1) Table I.

Continuous Sound Levels Which Pose An Immediate Threat To Health And Welfare [Measured at 50 feet (15 meters)]		
	Sound Level Limit [dB(A)]	Duration
	90	24 hours
	93	12 hours
	96	6 hours
	99	3 hours
	102	1-2 hours
	105	45 minutes
	108	22 minutes

(2) Table II.

Impulsive Sound Levels Which Pose An Immediate Threat To Health And Welfare [Measured at 50 feet (15 meters)]		
	Sound Level Limit [dB(A)]	Number of Repetitions (per 24-hour period)
	145	1
	135	10
	125	100

Re-number current 147-7 to 147-8

Re-number current 147-8 to 147-9