

PROPOSED AMENDMENT TO THE REGULATION OF NOISE ORDINANCE

SECTION I PURPOSE

The purpose of this ordinance is to regulate unnecessary noise and to promote public health, safety, and the quiet enjoyment of life for residents and visitors while within the boundaries of the Town of Woodstock New Hampshire. Regulations of this nature are allowed under New Hampshire RSA 31:39 I (n).

SECTION II UNNECESSARY NOISE PROHIBITED

It shall be unlawful for any person, firm, corporation, or other entity to make, maintain, direct, cause, or simulate any excessive, unnecessary, or unusually loud noises including without limitation those which are prolonged, unusual, and unnatural in their time, place and use effect, and/or which are a detriment to public health, comfort, convenience, safety, welfare, quiet enjoyment, and/or prosperity of the residents and visitors of the Town. This prohibition shall apply unless such noise is exempt below.

SECTION III EXEMPTED NOISE

This prohibition exempts:

- A. Persons operating vehicles, machinery, or equipment while engaged in snow clearance or snow removal operations.
- B. Noise resulting from activities of a temporary duration permitted by law and for which a special permit therefore has been granted in advance by the Town of Woodstock, or if applicable, permits from the State of New Hampshire.
- C. Farming and/or agricultural activity and machinery used in furtherance thereof. *"Farming and/or agricultural activity and machinery used"* is defined as equipment, tools machinery and processes customarily used for animal husbandry, crop farming, and other agricultural endeavors.
- D. Public Works, Public Safety, emergency, and law enforcement equipment and operations required for the effective delivery of public services.
- E. Loading, unloading, opening, closing or otherwise handling boxes, crates, containers, building materials, trash cans, dumpsters or similar objects between the hours of 07:00 AM and 10 PM.
- F. The operation of construction vehicles to include, but not limited to, bulldozers, graders, dump trucks, backhoes, earthmoving equipment, front end loaders, and log skidders, between the hours of 07:00 AM and 10 PM.
- G. The operation of construction and/or household tools and/or equipment to include but not limited to, cement mixers, hammers, staple or nail guns, power tools (i.e. saws, drills, grinders, sanders, chain saw, electric hedge trimmers, lawn mowers, snow blowers, jack hammers etc.) between the hours of 07:00 AM and 10 PM.

- H. Parades and public gatherings for which the Board of Selectmen or Chief of Police has issued a license or permit.
- I. Bells, Chimes, or carillons while being used for religious purposes or in conjunction with religious services and those bells, chimes, and carillons that are presently installed and in use for any purpose.
- J. Traffic travelling on Route 93.
- K. Normal gravel removal activities on properties appropriately permitted for such activities by the State or exempt from such permitting by statute.
- L. Shooting ranges which were lawfully established, constructed, and began operations prior to the enactment of this Ordinance.

SECTION IV APPLICATION FOR SPECIAL PERMIT EXEMPTIONS

Applications for a permit for temporary relief from this ordinance may be made to the Town Building Inspector, if construction related, or directly to the Select Board or their designee if related to hardship or otherwise. Permits shall set forth the relief, any limitations or conditions pertaining to the noise, the duration of the special permit, and reasonable time limit for its abatement.

SECTION V PENALTIES

The penalty for a violation of this ordinance shall be a fine of \$100.00 for a first offense. For any second violation within a 12-month period the fine shall be \$250.00. For any third or subsequent violation within a 12-month period the fine shall be \$500.00. All fines are payable to the Town of Woodstock within 5 days from the date of issuance. Failure to remit the fine within 5 days may result in the issuance of a summons and added fines. Any request for a due process hearing must be submitted in writing within 3 days of the receipt of the violation.