

Local Law Filing

NEW YORK STATE DEPARTMENT OF
STATE
41 STATE STREET
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of the law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Little Falls

Local Law No. 1 **of the year** 2001

A local law For the Purpose Of Regulating Noise in the Town of
Little Falls

Be it enacted by the Town Board **of**
the Town of Little Falls **as follows:**

SECTION 1. Purpose: Findings

It is the declared purpose of the Town Board, of the Town of Little Falls, to prevent unreasonably loud, disturbing and unnecessary noise so as to preserve, protect and promote the public health, safety and welfare and to foster peace and quiet within the Town of Little Falls.

SECTION 2. Unreasonable and Unnecessary Noise Prohibited

No person shall make, cause or permit to be made any unreasonable noise within the geographical boundaries of the Town or within those areas over which the Town has jurisdiction. Further, no person shall operate or play, or cause to be operated or played, any radio, jukebox, mechanical musical instrument, loud-speaking device, amplified sound-producing device or any other related sound-producing device whereby sound therefrom is cast or propelled upon the public streets and places in the Town or upon adjoining neighboring or other buildings and premises therein which either annoys, disturbs, injures or endangers the peace, repose, comfort, health or safety of a reasonable person of normal sensitivities upon the public streets or public places in the Town or persons in or upon neighboring or other buildings and premises is disturbed.

SECTION 3. Disturbance Deemed a Nuisance

The disturbance of the peace, repose, comfort, health or safety of a reasonable person of normal sensitivities upon public streets or places in the Town or persons in or upon neighboring or other premises shall be deemed a nuisance and may be abated forthwith.

SECTION 4. Exceptions

A. The provisions of Section 2 and Section 3 shall not apply to the lawful use of horns or other warning devices used on motor vehicles for the purpose of warning the traveling public or to church or school bells and chimes and chimes on public clocks. Further, said provisions shall not apply to the use of loud speakers and other sound devices in connection with all lawful assemblies and election campaigns or by the Town of Little Falls, its officers, servants and employees performing its public duties.

B. Limited exception. Likewise, the provisions of Section 2 and Section 3 shall not apply to organizations or clubs and business establishments which use amplified sound-producing devices for normal business function and/or entertainment purposes, only so long as projected noise ceases by 12:00 a.m. on weekdays and 2:00 a.m. on weekends. Noise continued beyond the time limits set forth shall not be excepted from Section 2 and Section 3.

SECTION 5. Permits Required for Loud Speakers

A. The use of loud speakers and other sound devices in connection with lawful assemblies and election campaigns shall be permitted only upon obtaining a written permit from the Town Clerk upon application duly made prior to such use of proposed use, stating the time when and place where the use thereof is contemplated. While applications for lawful assemblies and election campaigns shall be granted, reasonable time, place and manner restrictions may be placed upon the permit.

B. Exceptions. This permit requirement shall not apply to organizations or clubs and business establishments which use amplified sound producing devices for normal business functions and/or entertainment purposes, provided that such establishments comply with the time limitations set forth in this local law.

SECTION 6. Penalties for Offense. Quasi Criminal

Any person committing an offense against any provision of this local law shall be guilty of a misdemeanor and upon conviction thereof shall be punishable for each offense by fine of not more than \$1,000.00, or 30 days in jail.

SECTION 7. Validity

If any section, sentence, clause or phrase or term of this local law is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this local law.

SECTION 8. Effective Date

This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

ADOPTED: September 11, 2001