

TOWN OF GALLATIN NOISE ORDINANCE

Definition: Noise is a sound emitted and passes over or through permitted boundaries and causes distress and annoyance to the senses of others.

Section #1: “Prohibited Use” Residential

The following acts, among others, are declared to be in violation of this ordinance:

- (a) Owning, possessing, or harboring any pet animal or pet bird that frequently or for continued duration makes sounds that create a noise disturbance across a residential real property line. For the purpose of this Section, a noise disturbance from a barking dog shall be defined as that created by a dog barking continually, unless provoked.
- (b) Construction or demolition, which creates such noises, is prohibited between the hours of 8:00 p.m. to 6:00 a.m. except in the event of an emergency requiring immediate construction or demolition.
- (c) Playing, using, operating or permitting to be played, used or operated a radio, phonograph, musical instrument, loudspeaker, sound amplifier, or other machine or device for the production or reproduction of sound there from creating a noise disturbance across a residential real property line. The use of any drum, bell, loudspeaker or other instrument or device for the purpose of attracting attention to any solicitation, performance, show, or sale or display of merchandise.
- (d) Between the hours of 7:00 p.m. to 8:00 a.m. mini-bikes, snowmobiles, motorcycles, etc., shall not be operated on private property closer than three hundred (300) feet to any residence except the residence of the owner or operator thereof or any residence to which the owner or operator may be invited.
- (e) The operation of power lawnmowers, rakers, or leaf blowers, or other motor driven lawn or garden equipment between the hours of 9:00 p.m. and 7:00 a.m., prevailing time.
- (f) No internal combustion engine shall be operated at any time or place in the Town of Gallatin without an adequate muffler designed and manufactured to suppress exhaust noises to minimum.
- (g) The operation of any malfunctioning machinery, equipment, pump, fan, attic fan, air conditioner apparatus or similar mechanical device in such a manner to create any unreasonable and unnecessary noise which shall disturb the comfort and repose of any person in the vicinity.

(h) It shall be unlawful for any person to use or operate or cause to be used or operated any sound device or apparatus in, on, near, or adjacent to any public street, park, or place for commercial or business advertising purpose.

(i) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle except as a warning signal pursuant to the provisions of the Vehicle and Traffic Law of the State of New York.

(j) Operating or permitting the operation of any motor vehicle whose manufacturer's gross weight is in excess of ten thousand (10,000) pounds or an auxiliary equipment attached to such a vehicle for a period of longer than five (5) minutes while the vehicle is stationary and is within three hundred (300) feet of a residential area between the hours of 8:00 p.m. and 7:00 a.m. of the following day.

Section #2: "Prohibited Use" Commercial – Industrial

(a) No person shall cause, suffer, allow, or permit the operation of any source of sound on a particular category of property or any public space or right of way, commercial or industrial, in such a manner as to create a sound level that exceeds the particular sound level limits set forth in Table 1 when measured at or within the real property line of the receiving property.

Table 1, Maximum Permissible Sound Levels by Receiving Property Category, in dBA

Property Category Sound Source	Receiving Property Category			
	Residential		Commercial all times	Industrial all times
	7am-10pm	10pm-7am		
Commercial or Public Spaces or Rights-of-Way	65	50	65	75
Industrial	65	50	65	75

Reporting Violations:

The complainant will notify one of the following said violation:

Town Constable – within reasonable hours
Columbia County Sheriff Department
New York State Police

The above Noise Ordinance was adopted at the August 8, 1985 meeting of the Gallatin Town Board on a motion made by Councilman Duntz and seconded by Councilwoman Mrowzinski.

Adopted:	Supervisor Kenneth Jones	Aye
	Councilman Clifford Duntz	Aye
	Councilman Arthur Frank	Aye
	Councilman Robert Morris	Aye
	Councilwoman Constance Mrowzinski	Aye

The amendment to the Noise Ordinance listed below was adopted at the October 10, 1985 meeting of the Gallatin Town Board on a motion made by Councilman Duntz and seconded by Councilman Frank.

Section #3: “Provisions for Violations and Penalties.”

A violation of this ordinance is an offense punishable by a fine not exceeding \$250.00 (two hundred fifty dollars) or by imprisonment for a period not exceeding 15 (fifteen) days, or both fine and imprisonment. Each week’s continued violation shall constitute a separate additional violation. Whenever a violation of this ordinance occurs any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the town constable, Columbia County Sheriff or the New York State Police who shall properly record such complaint and immediately investigate the matter.

Adopted:	Supervisor Kenneth Jones	Aye
	Councilman Clifford Duntz	Aye
	Councilman Arthur Frank	Aye
	Councilman Robert Morris	Aye
	Councilwoman Constance Mrowzinski	Aye