
Sec. 19.04 Disorderly Conduct With a Motor Vehicle.

No person may, on public or private property, operate a motor vehicle in a disorderly manner. The conduct prohibited by this provision includes, but is not limited to, the following: the deliberate or intentional spinning of wheels; causing a vehicle, while commencing to move in motion, to have one or more wheels off the ground; operation in a manner that would tend to cause a disturbance; negligent operation; operation that endangers or damages property; operation that endangers or injures the health or safety of a person; operation that causes annoying or disturbing dust, noise, smoke, odor, or gas; and reckless operation.

Sec. 19.05 Unnecessary Noise With a Motor Vehicle.

No person may, on public or private property, cause unnecessary and annoying noise with a motor vehicle. The noises prohibited by this provision include, but are not limited to, the following: squealing tires; excessive noise from an engine; unnecessary blowing of a horn; loud muffler noise; and the backfire of an engine.

Sec. 19.05a Unnecessary Noise With a Light Motor Vehicle.

- (1) **Declaration of Findings and Policy.** Excessive noise from light motor vehicles is a serious hazard to the public health and welfare, safety and the quality of life. A substantial body of science and technology exists by which excessive noise from light motor vehicles may be substantially abated. The people have a right to and should be ensured an environment free from excessive noise that may jeopardize their health or welfare or safety or degrade the quality of life. Therefore, it is the policy of the Town of Dunn to prevent excessive noise that may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.
- (2) **Scope.** This ordinance shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the Town of Dunn.
- (3) **Definitions.**
 - (a) **Terminology.** All terminology used in this ordinance, not defined below, shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.
 - (b) **A-Weighted Sound Level.** This means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB (A) or dBA.
 - (c) **Noise Level.** This shall refer to the A-weighted sound level produced by a light motor vehicle.

- (d) **Person.** This means any individual, association, partnership, or corporation, and includes any officer, employee, department, agency or instrumentality of a state or any political subdivision of a state.
- (e) **Sound Level Meter.** This means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The instrument shall comply with the standards for Type 1 or Type 2 sound level meters as specified in American National Standards Institute Standards ANSI S1.4-1971 or its successor.
- (f) **Sound Pressure Level.** This means twenty (20) times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals. The sound pressure level is expressed in decibels.
- (g) **Noise.** This means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
- (h) **Light Motor Vehicle.** For the purposes of this ordinance a light motor vehicle shall mean any automobile, van, motorcycle, motor driven cycle, motor scooter or light truck or other motorized vehicle with gross vehicular weight of less than eight thousand (8,000) pounds.
- (i) **Modified Exhaust System.** It is an exhaust system in which:
1. The original noise abatement devices have been physically altered causing them to be less effective in reducing noise, or
 2. The original noise abatement devices have been either removed or replaced by noise abatement devices which are not as effective in reducing noise as the original devices, or
 3. Devices have been added to the original noise abatement devices, such that noise levels are increased.
- (4) **80 dBA Noise Limit.** It shall be unlawful for any person to cause noise levels from the operation of a light motor vehicle in excess of 80 dBA at any location within the limits of the Town of Dunn. Measurement can be made at any distance greater than or equal to fifteen (15) feet from the closest approach to the vehicle.
- (5) **Excessive Noise.** Notwithstanding the noise limit expressed under Subsection (4), it shall be unlawful for any person to operate a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as a result of the operation of audio devices such as but not limited to radios, phonographs, and tape players.
- (6) **Signalling Devices.** It shall be unlawful for any person to operate any horn or other audible signalling device on any motor vehicle except in an emergency or when required by law.
- (7) **Exception.** Notwithstanding the other provisions of this ordinance, this ordinance shall not apply to noise created by equipment used for farming purposes.
- (8) **Severability.** If any provision of this ordinance is held to be unconstitutional or otherwise invalidated by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.