

# City of Providence

Ordinance/Motorcycle noise STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 2004-29

No. 260

### AN ORDINANCE IN AMENDMENT OF ARTICLE III, CHAPTER 16, ENTITLED "NOISE CONTROL," AS AMENDED

Approved June 14, 2004

#### *Be it ordained by the City of Providence:*

SECTION 1. Article III of Chapter 16 of the Code of Ordinances is hereby amended to read as follows:

Sec. 16-92. Definitions.

Unless the context clearly indicates otherwise, the words and phrases used in this article shall have the following meanings:

- (a) Sound level (noise level) in decibels: Is the level measured on the A-weighted scale as defined in the American National Standard S-1.4-1071.
- (b) Ambient noise: Is the all-encompassing noise associated with a given environment, being a composite of sounds from many sources, near and far. For the purpose of this article, ambient noise level is the average over five (5) minutes excluding random or intermittent noises and the alleged offensive noise at the location and time of day at which a comparison with an alleged offensive noise is to be made.

Averaging may be done by instrumental analysis in accordance with American National Standard S.13-1971, or may be done manually as follows:

- (1) Observe a sound level meter for five (5) seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.
- (2) Repeat the observations as many times as necessary to provide that observations be made at the beginning and at the end of the five-minute averaging period and that there shall be at least as many additional

No.

CHAPTER  
AN ORDINANCE

IN CITY COUNCIL

FIRST READING  
REFERRED TO COMMITTEE ON  
ORDINANCES

Michael A. Clement CLERK  
(24)

THE COMMITTEE ON

Ordinance  
Recommends

Arnam Stetson  
2-26-04 Pub. Cont. CLERK (26)  
3-23-04 PMS Cont.

THE COMMITTEE ON  
ORDINANCES

Approves Passage of  
The Within Ordinance, as amended

Arnam Stetson CLERK (26)  
5-11-04

Councilwoman Williams

observations as there are decibels between the lowest low indication and the highest high indication.

(3) Calculate the arithmetical average of the observed central tendency indications.

(c) Decibel (dBA): The decibel is a unit of measure of sound (noise) level relative to a standard reference sound on a logarithmic scale. The decibel level of a given sound is determined as twenty (20) times the logarithm to the base 10 of the ratio of the pressure in micronewtons per square meter of the sound being measured to the standard reference sound pressure of twenty (20) micronewtons per square meter (0.0002 microbar).

(d) Nonstationary sources: A machine or device capable of being moved from place to place for occasional or temporary use at a given location, including, but not limited to, power lawn mowers, chain saws, bulldozers and pile drivers.

(e) Fixed source: A machine or device capable of creating a noise level at the property upon which it is regularly located, including but not limited to: industrial and commercial machinery and equipment, pumps, fans, air conditioning apparatus or refrigeration machines.

(f) Emergency work: Shall mean work necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

(g) Person: Shall mean a person, firm, association, copartnership, joint venture, corporation, or any entity, public or private in nature.

(h) Motor vehicles: Shall include, but not be limited to, automobiles, trucks, buses, motorcycles, minibikes and go-carts.

(i) Sound amplifying equipment: Shall mean any machine or device for the amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound amplifying equipment" shall not include warning devices on any vehicle used only for traffic safety purposes.

(j) Sound truck: Shall mean any motor vehicle or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon or therein, or attached thereto any sound amplifying equipment.

(k) Commercial purposes: Shall mean and include the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating such sound equipment.

(l) Noncommercial purpose: Shall mean the use, operation, or maintenance of any sound equipment for other than a "commercial purpose." "Noncommercial purpose" shall mean and include, but shall not be limited to, philanthropic, political, patriotic, and charitable purposes.

(m) Unnecessary, excessive, or offensive noise: Shall mean any sound or noise conflicting with the criteria, standards, or levels set forth in this article for permissible noises. In the absence of specific maximum noise levels, a noise level which exceeds the ambient noise level by five (5) dBA or more, when measured at the nearest property line or, in the case of multiple-family residential buildings, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, or a noise audible to a person of reasonably sensitive hearing at a distance of two hundred (200) feet from its source, shall be deemed a prima facie violation of this article.

Sec. 16-108. General noise regulations; motor vehicles.

Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, excessive or offensive noise as defined in section 16-92(m) above.

There shall be no purposeful operator intent to create excessive engine noise, such as blatantly excessive engine revving (rapid throttle advance) and acceleration.

No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler

or sound dissipative device on a motor vehicle or motorcycle. It shall be unlawful for any person to rebuild, repair, or test any engine, muffler, or exhaust system so as to create a noise disturbance.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL

MAY 20 2004

FIRST READING  
READ AND PASSED

*Michael R. Clement*  
CLERK

APPROVED

*[Signature]* 6/14/04

MAYOR

IN CITY  
COUNCIL

JUN 3 2004

FINAL READING  
READ AND PASSED, AS AMENDED

*Palmer A. Green*  
PRESIDENT ACTING  
*Michael R. Clement*  
CLERK