

## Chapter 107 Sound Emissions

### 107.1 SOUND EMISSIONS

It is unlawful for any person or persons to create, cause or maintain within the Town of Thurmont or within one-half mile of the Town of Thurmont town limits unreasonable noise which directly, or by its consequence, causes injury or annoyance to the general public:

- (A) Unreasonable noise is defined as any loud, disturbing, or unnecessary noise of such character, intensity, or duration as to be detrimental to the life or health of any reasonable person, including any noise which can be heard more than fifty (50) feet from its source, or if the noise source is on private property, can be heard more than fifty (50) feet beyond the boundaries of the property.
- (B) No person shall create, cause, or maintain unreasonable noise, including, but not limited to:
  - ( I) The sounding of a horn or other warning device of any motor vehicle except as a danger signal or in compliance with the requirements of a motor vehicle law or regulation;
  - ( II) The sounding of a radio, phonograph, tape player, compact disk player, or any musical instrument, including, but not limited to, such devices in motor vehicles;
  - (III) The operation of any sound truck for commercial sound advertising purposes with sound amplifying equipment without the consent of the Mayor or Chief of Police;
  - ( IV) The operation of any sound device attached to a vehicle and used for the purpose of attracting attention thereto for advertising purposes without the consent of the Mayor or Chief of Police; and
  - ( V) The calling or crying-out for advertising purposes from any vehicle without the consent of the Mayor or Chief of Police.

## 107.2 ENFORCEMENT

A police officer may, if he has probable cause to believe a violation of this section is being committed in his presence, view, or hearing, warn the apparent perpetrator or perpetrators to cease such noise as violates this Section. If the violation persists after such warning, the officer may issue a citation as hereafter provided.

## 107.3 VIOLATIONS AND PENALTIES

- (A) Any person or persons violating any provision of this section shall be guilty of a municipal infraction punishable by a fine of fifty dollars (\$50.00) for each offense.
- (B) The provisions of this section shall not apply to any activity as hereafter permitted. Upon written request, the Board of Commissioners may issue a permit, definite as to time and location, to exempt from the provisions hereof, parades, park concerts, and other park activities, public celebrations and such other non-commercial events as the Board of Commissioners shall determine not to be unduly violative of the above provisions and which generally serve the public good.

## 107.4 SEVERABILITY

Every provision of this local law shall be considered severable from every other provision, and the invalidity of any section, clause, provision, or part thereof, shall not effect the validity of any other section, clause, provision, or part thereof.