

CITY OF BELLEVUE

ORDINANCE 2021-07-01

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-09-02 CODIFIED
IN SECTION 94 et seq. OF THE BELLEVUE CODE OF ORDINANCES
RELATING TO NOISE CONTROL**

WHEREAS, the City of Bellevue has previously adopted a Noise Control Ordinance, Ordinance No. 2012-09-02, codified as Chapter 94 in the City of Bellevue Code of Ordinances; and

WHEREAS, the City of Bellevue finds it necessary for the good of the community, the health and welfare of its residents, and to prevent nuisances caused by noise from the playing of music and/or musical instruments, or other sources of noise.

NOW, THEREFORE, BE IT ORDAINED THAT Ordinance No. 2012-09-02, codified as Chapter 94 in the City of Bellevue Code of Ordinances, is amended as follows:

Section 1.

94.01 UNUSUAL AND LOUD NOISE PROHIBITED.

(A) It shall be unlawful for any person, firm, or corporation to create or assist in creating any unreasonably loud and disturbing noise in the City. Noise of such character, intensity, and duration as to be detrimental to the public health, welfare, and peace is prohibited.

(B) The following acts, among others, are declared to be loud and disturbing noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(1) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound, or the sounding of such device for an unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle.

(2) The playing of any radio, phonograph, electronic device, machine, or other musical instrument, singing, shouting and crowd noises in such a manner or with such volume and for such a sustained time, particularly during the hours between 10:00 p.m. and 7:00 a.m. as to annoy a reasonable person or normal sensitivities or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, immediate vicinity, or chamber in which such the sound is being made and who are voluntary listeners thereto. ~~or disturb the quiet, comfort, or repose of any person in any dwelling, hotel, or other type of residence.~~ The operation of any such radio, phonograph, electronic device, machine, or other musical instrument, singing, shouting and crowd noises between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 10 feet from the building, structure or vehicle in which it is located; or 25 feet from the source of the noise if not located within a building, structure or vehicle shall be prima facie evidence of a violation of

this section, and under no circumstances shall any noise created hereunder exceed 50 decibels during said time period. The operation of any such radio, phonograph, electronic device, machine, or other musical instrument at other hours in such a manner as to be plainly audible at a distance of 75 feet from the building, structure or vehicle in which it is located or 150 feet from the source of the noise if not located within a building, structure or vehicle shall be prima facie evidence of a violation of this section, and under no circumstances shall any noise created as defined herein exceed 75 decibels.

(C) Outdoor live music is allowed, subject zoning restrictions, if any, and to the sound/decibel limitations of section (B) herein, between noon and 8:00 p.m. Sunday through Thursday, and between noon and 10:00 p.m. on Fridays and Saturdays. Excepted from this provision are school events (e.g. football games, events with permits obtained from the City, the City's summer concert series, and other events as from time to time are permitted by City). No offsite, live music shall be permitted except as specifically permitted by City.

(3) The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.

(4) The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in a manner as to create loud grating, grinding, rattling, or other noise.

(5) The blowing of any steam whistle attached to any stationary boiler or engine, except to give notice of the time to begin or stop work or as a warning of danger.

(6) The sounding of any bell or gong attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof.

(7) The conducting, operating, or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or on Sundays.

(8) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same are in session, or within one hundred fifty (150) feet of any hospital or medical facility, which unreasonably interferes with the working of those institutions, provided conspicuous signs are displayed in those streets indicating that the area is a school, court, or hospital area.

(9) The creation of any excessive noise ~~on Sundays~~ on any street adjacent to any church. ~~provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street.~~

(10) The erection (including excavation), demolition, alteration, or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m., on weekdays, except in the case of urgent necessity in the interest of public safety and then only with a permit from the City Building Inspection Department, which permit may be renewed for a period of three days or less while the emergency continues.

(11) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.

(12) The shouting and crying of peddlers, barkers, hawkers, and vendors which disturbs the quiet and peace of the neighborhood.

(13) The use of any drum, loud speaker, or other instrument or device for the purpose of attracting attention or otherwise by creation of noise to any performance, show, or sale or display of merchandise.

(14) The use of any mechanical loud speakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes except where specific license is received from the City Council.

This Ordinance shall become effective upon passage, approval and publication according to law.

ATTEST:

Charlie Cleves, Mayor

Mary H. Scott, City Clerk

1st Reading:

2nd Reading:

Publication: