

JOPLIN CITY COUNCIL INFORMAL MEETING
MONDAY, JUNE 7, 2021
5th FLOOR COUNCIL CHAMBERS
602 S. MAIN ST.
5:15 P.M.

AGENDA

LEGISLATIVE UPDATE

NOISE ORDINANCE DISCUSSION

Documents:

[NOISE ORDINANCE.PDF](#)

Notice posted at 12:00 p.m. on this 3rd day of June 2021 (RSMo 610.020)

The City of Joplin has passed numerous ordinances over the years to address excessive noise. Some examples of this are the following:

6-6 – Noise – this was intended to address businesses using excessive noise to draw patrons to their places of business.

18-4 – Noisy animals – this addressed birds or animals owned by citizens who allowed the animals to make loud and unseemly noises so as to disturb the peace of others.

114-206 – Sound amplification systems - This addressed motor vehicles that operated audio systems to the point that persons could hear the audio outside of the vehicle from 50 feet or more.

114-644 – Warning Devices – this addressed excessive use of motor vehicle horns above the normal intended use.

All of the ordinances listed above are included as subsections under **ordinance 82-78**.

Specific time frames are listed for certain noise violations and persons can be cited the for following subsections if noise is generated between the hours of 10:00 PM and 6:00 AM:

Radios or musical instruments(2), yelling or shouting(4), construction work, building repair, or street excavation(8), pile drivers and hammers(11), and domestic power tools(12).

82-78 – Excessive or Unnecessary Noise

Generally. It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city.

Prohibited acts. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but such enumeration shall not be deemed to be exclusive:

(1)

Horns, signaling devices etc. The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the city, except as a danger warning, the creation by means of any such signaling device of any unreasonably loud or harsh sound, and the sounding of any such device for an unnecessary and unreasonable period of time; or the use of any signaling device except one operated by hand or electricity, the use of any horn, whistle or other device operated by engine exhaust, and the use of any such signaling device when traffic is for any reason held up.

(2)

Radios, phonographs, etc. Using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring

inhabitants, or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 6:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(3)

Loudspeakers used on public streets. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, or for any other purpose, unless upon permit issued by the chief of police.

(4)

Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 6:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(5)

Noisy animals or birds. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.

(6)

Exhausts. The discharge into the open air of the exhaust of any steam engine, internal combustion engine, including any stationary gasoline or gas engine not employed in portable uses, or motorboat, or motor vehicle, unless the noise from such engine is muffled and equipped with a muffler device sufficient to deaden such noise.

(7)

Loading, unloading or opening boxes. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(8)

Construction or repair of buildings; street excavations. The erection (including excavation), demolition, alteration or repair of any building other than between the hours of 6:00 a.m. and 10:00 p.m. on weekdays, except in case of urgent necessity and in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days while the emergency continues, and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of

10:00 p.m. and 6:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 10:00 p.m. and 6:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

(9)

Creation of noise near school, court, church or hospital. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court is in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the street is a school, hospital or court street.

(10)

Hawkers and peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

(11)

Piledrivers, hammers etc. The operation between the hours of 10:00 p.m. and 6:00 a.m. of any piledriver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

(12)

Domestic power tools. Operating or permitting the operation of any mechanically, electrically or pneumatic powered saw, drill, sander, grinder, lawn or garden tool, or similar device used in residential areas between the hours of 10:00 p.m. and 6:00 a.m. the following day so as to disturb the comfort or repose of any persons in the vicinity.

(13)

Blowers. The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

(14)

Explosive devices. Any explosive device, excluding firearms, and also excluding fireworks permitted by sections [58-65](#), [58-66](#) and [58-67](#), which creates explosive sound so as to disturb the comfort or repose of any persons in the vicinity.

(c)

Penalty. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished in accordance with [section 1-5](#). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this subsection.

(d)

Violations declared nuisance; injunctive relief. As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this section and which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.