

Article 408: ANY LOUD, UNUSUAL, OR OTHER UNNECESSARY NOISE ORDINANCE

(Adopted 03/15/78; Amended 03/13/01; 04/8/97)

408.1 PURPOSE

It is the declared intent and purpose of this regulation to prohibit any vehicle on any way in the Town of Kingston from making any loud, unusual, or other unnecessary noise as hereinafter defined. It shall be unlawful for any person, firm, or corporation to make, create, maintain or simulate any excessive, unnecessary or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use effect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the Town of Kingston.

- A. Vehicle:** The word vehicle shall include, bus, highway equipment, motorcycle, motor truck, motor vehicle, semi-trailer, sidecar, tractor, trailer or other vehicle, all as defined by RSA 259:1.
- B. Way:** The word way shall include crosswalk, intersecting way or other public highway, or other way, or as defined by RSA 259:1.
- C. Loud, Unusual, or Other Unnecessary Noise:** The words loud, unusual or other unnecessary noise shall include any noise occasioned by any one or more of the following actions of the operator of any vehicle:
 - 1. Misuse of power exceeding tire traction limits in acceleration, sometimes known as "laying down rubber" or "peeling rubber," or
 - 2. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency, or
 - 3. Rapid acceleration by means of quick upshifting of transmission gears with either a clutch and manual transmission or automatic transmission, or

LOUD, UNUSUAL, OR OTHER UNNECESSARY NOISE

4. Rapid deceleration by means of quick downshifting, of transmission gears with either a clutch and manual transmission or an automatic transmission, or
5. Racing of engines by manipulation of the accelerator, gas pedal, carburetor, or gear selection whether the vehicle is either in motion or standing still, or
6. The blowing of any horn except as a warning signal or the use of any other noise making device whether the vehicle is either in motion or standing still, or
7. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker or other machine or device for the producing or reproducing of sound which is used upon the public street in such a 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 person or persons who are in the vehicle device is operating and who are voluntary listeners thereto. The operation in such a manner as to be plainly audible at a distance on which it is located, shall be Prima Facie evidence for a violation of this Section.

408.2 Penalty: Any person violating any of the provisions of this ordinance shall be guilty of a violation and upon conviction thereof shall be liable to a penalty of not more than five hundred dollars (\$500.00) FOR EACH OFFENSE.