

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Fayetteville Local Law No. \_\_\_\_\_ of the year 20\_\_.

A local law further amending Chapter 114 Entitled "NOISE CONTROL" of the Code of the Village of Fayetteville.

Be it enacted by the Board of Trustees of the Village of Fayetteville as follows:

Section 1. That Chapter 114-2, entitled "Definitions" of the Code of the Village of Fayetteville, as amended, is further amended to add the definition of "Decibel", modify the language in the preamble of the definition of "Unnecessary Noise" and add the text of subsection L. to "Unnecessary Noise" as follows:

114-2. Definitions

DECIBEL (dB)

The practical unit of measurement for sound pressure level. The number of "decibels" of a measured sound is equal to twenty (20) times the logarithm to the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound [twenty (20) micropascals]; abbreviated "dB."\*

UNNECESSARY NOISE

Any excessive or unusually loud sound or any sound which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person or which causes injury to animal life or damage to property or business. Standards to be considered in determining whether unnecessary noise exists in a given situation include but are not limited to the following:

L. The duration of the noise (any duration of noise restricted herein lasting more than

fifteen (15) minutes within a 2-hour period, (either sustained or intermittent) shall be deemed to violate this Chapter).

Section 2. That Chapter 114-3, entitled “Prohibited noises” of the Code of the Village of Fayetteville, as amended, is further amended to add subsection “J. Decibel Maximum” as follows:

114-3 Prohibited noises

J. DECIBEL MAXIMUM.

The making or operation of any source of sound on a private property or any public space or right-of-way in such a manner as to create a sound level when measured at the adjoining property line that exceeds the particular sound level limits set forth as follows:

- (a) between the hours of 8:00 a.m. and 9:00 p.m. on Monday through Saturday, a sound level of seventy (70) dB;
- (b) between the hours of 9:00 a.m. and 9:00 p.m. on Sundays and federal holidays, a sound level of seventy (70) dB;
- (c) between the hours of 9:00 p.m. the preceding night and 8:00 a.m. on Monday through Saturdays, a sound level of fifty (50) dB; and
- (d) between the hours of 9:00 p.m. the preceding night and 9:00 a.m. on Sundays and federal holidays, a sound level of fifty (50) dB.

Section 3. This local law is effective immediately upon filing with the Secretary of State.

**(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 20\_\_ of the Village of Fayetteville was duly passed by the Board of Trustees on \_\_\_\_\_, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the above paragraph.

\_\_\_\_\_  
Lorie Corsette, Village Clerk

Date: \_\_\_\_\_

STATE OF NEW YORK  
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Village Attorney