

P-23 Maricopa County Noise Ordinance
Adopted: February 15, 2006

MARICOPA COUNTY NOISE ORDINANCE P-23

I. Purpose

At and above certain levels, noise is detrimental to the health and welfare of Maricopa County citizens. Therefore, Maricopa County has determined that it is in the best interest of its citizens to control noise in a manner which promotes commerce; the use, value, and enjoyment of property; sleep and repose; and environmental quality. Therefore, it is hereby declared to be the policy of Maricopa County to prohibit excessive, unnecessary, disruptive, and annoying noises from all sources.

II. Applicability

In the absence of an intergovernmental agreement, this ordinance shall not apply to any incorporated city or town, or any Indian reservation, and shall apply only to unincorporated areas of Maricopa County.

III. Definitions

- A. **Administrator:** Means the Maricopa County Board of Supervisors or their authorized representative from a Maricopa County department, including the Maricopa County Sheriff.
- B. **Cut-Out / Bypass / Muffler Elimination System:** Means any device used on a motor vehicle to avoid or circumvent the muffler system, or which increases or amplifies noise made by a motor vehicle.
- C. **Emergency Vehicles:** Means vehicles of the fire, police, and public service departments and legally authorized ambulances and emergency vehicles of state departments and any political subdivisions thereof, and vehicles of public service corporations.
- D. **Emergency Work:** Means work required to restore property or infrastructure to a safe condition following a natural or human caused disaster, work required to protect persons or property from an imminent exposure to danger, or work by public or private utilities for providing or restoring immediately necessary utility services.
- E. **Noise:** Means a sound emitted from any and all sources and is typically characterized by intensity, duration, and kind.
- F. **Motor Vehicle:** Means any vehicle which is self-propelled and is used primarily for transporting people or property.
- G. **Muffler:** Means the part of the exhaust system of a motor vehicle that is intended to reduce noise.
- H. **Person:** Means any individual, firm, association, partnership, corporation or any other public or private entity.

- I. **Planned Activity:** Means any lawful event occurring on a periodic basis at a venue where people assemble, and that is anticipated and lawfully allowed to occur on a periodic basis.
- J. **Property:** Means something that is owned or possessed by a person, or something to which a person has legal title.

IV. Noise

A. Motor Vehicles

- 1. It is unlawful for any person to operate any motor vehicle that is not equipped with a muffler in good working order and in constant operation to prevent excessive noise.
- 2. It is unlawful for any person to operate a motor vehicle equipped with a cut-out, by-pass, or similar muffler elimination unit, or to operate a motor vehicle with devices that amplify motor noise or motor vehicle exhaust noise.
- 3. It is unlawful for any person to sound a horn, signal, or noise device on any motor vehicle for any purpose other than those allowed by state law.
- 4. It is unlawful for any person to operate a motor vehicle in such a manner as to cause or allow to be emitted squealing, screeching, or other such sound from the tires in contact with the ground because of rapid acceleration, excessive speed, or other such reasons. Sounds resulting from emergency deceleration braking to avoid danger shall be exempt from this section.
- 5. It is unlawful for any person to cause the excessive revving of any motor vehicle engine while such vehicle is not in motion, except when done during the repair or testing of such vehicle between the hours of 7:00 a.m. and 8:00 p.m. provided the following conditions are met:
 - a. The motor vehicle engine is equipped with a muffler in proper working order and in constant operation.
 - b. The motor vehicle engine is not equipped with a cut-out, by-pass, or similar muffler elimination unit.
 - c. The motor vehicle engine is not equipped with any device that amplifies motor noise or motor vehicle exhaust noise.

B. Animals [RESERVED]

C. Radios and Sound Amplification Devices

It shall be unlawful for any person to operate any radio, loudspeaker, musical instrument, or other sound producing, sound reproducing, or sound amplification equipment which emits noise that can be heard from within closed residential structures located within 500 feet of the boundary of the property from which such noise emanates.

V. Public Disturbances

- A. It shall be unlawful for any person to cause, or for any person in possession of property to allow to originate from the property, any noise which disturbs the peace or quiet of any neighborhood if such noise can be heard from within closed residential structures located within 500 feet of the boundary of the property from which such noise emanates. This subsection shall not apply to noise produced in the normal conduct of business provided that such noise occurs within the normal and customary hours for the conduct of such business, which is based on the normal and customary hours of operation of similar, existing businesses, and the operation is legally conducted within the scope of all ordinances, laws, and statutes of Maricopa County and the State of Arizona.
- B. It shall be unlawful for any person in or upon a public street, alley, or public place within unincorporated Maricopa County to make any loud or offensive noise, to speak in a loud tone, or to scream or shout in a manner that disturbs the peace and quiet of people living in the vicinity thereof.

VI. Exemptions

- A. The following noises shall be exempt from the provisions in this article:
 - 1. Noise originating from aircraft in flight and sounds that originate at airports and are directly related to flight operations.
 - 2. Noise emanating from emergency vehicles.
 - 3. Non-amplified, customary noise emanating from public and private nurseries, daycare facilities, schools, and colleges.
 - 4. Noise emanating from mechanical devices associated with heating and cooling equipment and pool pumps when functioning in accordance with manufacturer's specifications and is in proper operating condition, and that no units emit noise that can be heard from within closed residential structures located within 500 feet of the boundary of the property from which such noise emanates.
 - 5. Customary noise associated with property maintenance, provided that such maintenance occurs between the hours of 5:00 a.m. and 9:00 p.m., and with all manufacturers' mufflers and noise-reducing equipment in use and in proper operating condition.
 - 6. Non-amplified crowd noise resulting from planned activities.

7. Noise emanating from watercraft.
8. Noise emanating from alarms and other warning devices not operated continuously for more than thirty minutes per incident.
9. Noise emanating from the discharge of weapons for lawful purposes.
10. Noise emanating from construction and repair equipment when used in compliance with existing Maricopa County rules and regulations.
11. Noise created by lawful pickets, marches, parades, rallies and other public events.
12. Noise created by bells or chimes not operating for more than three minutes in any one hour and if operated between the hours of 7:00 a.m. and 9:00 p.m.
13. Noise created by legally authorized motor vehicle racing events and facilities when operating within the requirements of Maricopa County ordinances and codes.
14. Noise emanating from trains and associated repair and maintenance equipment.
15. Noise emanating from power plant equipment during normal operations.
16. Noise emanating from safety signals and warning devices.
17. Noise emanating from agricultural equipment when used in connection with farming operations.
18. Noise created by emergency equipment and emergency work in the interest of law enforcement or in the protection of community health, safety, or welfare.
19. Customary noise emanating from designated parks and playgrounds.

VII. Administration & Enforcement

The administrator and the administrator's designee are authorized and directed to administer and enforce all provisions of this chapter. Upon request of the administrator, all other Maricopa County departments and divisions may assist in enforcement of this code.

VIII. Penalty

- A. Any person violating any provision of this chapter is guilty of a misdemeanor, and upon conviction thereof is punishable by a fine not to exceed three hundred dollars (\$300) for the first offense, five hundred dollars (\$500) for the second offense, and seven hundred fifty dollars (\$750) for the third and all subsequent offenses. Each day a violation continues or exists shall be a separate offense subject to punishment as a separate misdemeanor. Provisions of this ordinance shall be enforced through the Maricopa County Justice Courts.

- B. The administrator is authorized to provide violators with a written warning that the offending noise must cease within a specified period of time. If the offending noise does not cease within the administrator's identified timeframe, the person in violation of this ordinance shall be guilty of a misdemeanor and be subject to the penalties identified in this Chapter.

IX. Recovery of Abatement Costs

In addition to any other reasonable means authorized by the court for the recovery of money expended by the county to abate a chronic noise nuisance, the expense shall be a special assessment against the property upon which the chronic noise existed and be collected pursuant to existing county regulations and laws.

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