

North Logan City *Info -Sheet*

Ordinances in North Logan Relating to Noise

What are the basic laws governing noise in North Logan?

The City Offices and the North Park Police Department occasionally get calls claiming someone is violating the city's noise ordinance. Whether it is from someone playing loud music, mowing the lawn or operating a snow blower early in the morning, or operating a vehicle that is excessively loud, any of these things can be annoying and undesirable and be the subject of a complaint. The question is then asked, "Is my neighbor in violation of the city's noise ordinance?" There is no specific "noise ordinance" in North Logan but there are several ordinances that relate to noise and the nuisance that it causes. See the back of this Info Sheet for some of the North Logan City Code references that apply to this issue.

How does the city define a nuisance and how does that affect the issue of noise?

The City Council has established definitions for a nuisance by city ordinance in three places as follows:

In 10-401 nuisances are defined as *"Whatever is dangerous to human life or health and whatever renders soil, air, water, or food impure or unwholesome is declared to be a nuisance and unlawful."*

In 15-614 a nuisance is similarly defined as *"any item, thing, manner, condition whatsoever that is dangerous to human life or health or renders soil, air, water or food impure or unwholesome."*

In 15-616 a "public" nuisance is defined as *"a crime against the public order and economy of this municipality and consists in unlawfully doing any act or omitting to perform any duty, which act or omission, either: 1) Annoys, injures, or endangers the comfort, repose, health or safety of three or more persons;... or 4) In any way renders three or more persons insecure in life or the use of property."*

These definitions are not very specific with regard to the issue of noise but they do provide for limited regulating of noise produced by people in the city.

If we have a neighbor that is making a lot of noise, especially at a bad time of the day, what should we do?

The best thing to do is to contact the neighbor and let him know of your being annoyed. Communication is the best way to ensure good neighbor relations. If that does not help the situation you may contact the North Park Police Department and ask for their assistance. They may be able to help convince your neighbor of the need to comply with the intent of the city's ordinance or the situation may require that you file a complaint. Just because something is annoying, it does not necessarily mean it is illegal. The police department can help you know if a noise problem really constitutes a violation of the law.

Need more Information? Contact the City Administrator - 752-1310

The following are extracts from the North Logan City Code that apply to the issue of noise in North Logan City.

10-401. Nuisances Defined.

- (A) Whatever is dangerous to human life or health and whatever renders soil, air, water, or food impure or unwholesome is declared to be a nuisance and unlawful.

15-614. "Nuisance" Defined - Violation - Classification of Offense.

- (A) A nuisance is any item, thing, manner, condition whatsoever that is dangerous to human life or health or renders soil, air, water or food impure or unwholesome.
- (B) Any person, whether as owner, agent, or occupant who creates, aids in creating, or contributes to a nuisance, or who supports, continues or retains a nuisance, is guilty of a Class B misdemeanor.

15-616. "Public Nuisance" Defined.

- (A) A public nuisance is a crime against the public order and economy of this municipality and consists in unlawfully doing any act or omitting to perform any duty, which act or omission, either:
 - (1) Annoys, injures, or endangers the comfort, repose, health or safety of three or more persons; or
 - (4) In any way renders three or more persons insecure in life or the use of property.

15-505. Disorderly Conduct.

- (A) A person is guilty of disorderly conduct if:
 - (2) Intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof:
 - (b) He makes unreasonable noises in a public place; or
 - (c) He makes unreasonable noises in a private place which can be heard in a public place; or
- (B) An act which affects three or more persons in any of the ways specified in this section is still a nuisance regardless of whether the extent of annoyance or damage inflicted on individuals is unequal.

15-518. Noise. It is a Class C misdemeanor for any person to disturb the peace or quiet of any neighborhood, family or person by loud, or unusual noises by tumultuous or offensive conduct.