

Chapter 15.70 - NOISE CONTROL^[1]

Footnotes:

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Cross reference— Vehicle equipment, ch. 9.44; recreation and amusement activities, ch. 10.45; fines, § 14.60.030.

15.70.010 - Short title of chapter.

This chapter may be known and cited as the Anchorage Noise Control Ordinance.

(GAAB 16.85.010; AO No. 78-48)

15.70.020 - General provisions.

- A. *Policy.* Whereas excessive sound and vibration are a serious hazard to public health and welfare and the quality of life, whereas a substantial body of science and technology exists by which excessive sound and vibration may be significantly abated, and whereas the people of the municipality have a right to an environment free from excessive sound and vibration that may jeopardize their health and welfare or degrade the quality of life, it is therefore the policy of the municipality to prevent excessive noise that may jeopardize the health or welfare of its citizens or degrade the quality of life.
- B. *Exceptions.* The provisions of this chapter shall not apply to the emission of sound for the purpose of alerting persons to the existence of any emergency or the emission of sound in the performance of emergency work.
- C. *Responsibility for violations involving motor vehicle.* It shall be a rebuttable presumption that the owner of a motor vehicle that violates or exceeds any provision of this chapter has caused or permitted the operation or driving of that motor vehicle.
- D. *Sound level measurements.* It shall be unlawful for any person to operate or cause to be operated any source of sound in such a manner as to create a sound level that exceeds the equivalent sound level limits of specific decibel sound level limits set forth in this chapter when such equivalent sound level limits are measured at some other distance according to testing procedures established pursuant to section 15.70.040.B.1, except as otherwise required by federal law.

(GAAB 16.85.020; AO No. 78-48)

15.70.030 - Definitions.

- A. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified sound means the operation or playing of any radio, television, DVD, cassette player, compact disk, boom box, phonograph, drum, other musical instruments, sound amplifier or similar device that produces, reproduces or amplifies sound, including music.

"A" weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network, using a sound level meter meeting the standards set forth in American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 or the latest approved revision thereof). The unit of reporting is dB(A). Sounds measured with the "A" weighting network approximates the response of human hearing when measuring sounds of low to moderate intensity.

Ambient sound level means that measured value which represents the summation of the sound from all the discrete sources affecting a given site at a given time, exclusive of extraneous sounds and those from the source under investigation. Ambient sound level is often referred to as neighborhood residual sound level or background sound level. Ambient sounds are differentiated from extraneous sounds by the fact that the former are more steady state, although they may not be continuous.

"C" weighted sound level is the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

Commercial means of or relating to commerce, engaged in commerce, involved in work designed or planned for the mass market; or designating products, often unrefined, made and distributed in large quantities for industrial use; or having profit as a primary aim; or paid for by an advertiser or advertising.

Commercial area means any parcel of land zoned as commercial district, downtown district, or mixed-use district under title 21. It also means any development area within a planned community development district under title 21 where the designated land use is commercial, business, or mixed use - commercial/residential. Areas zoned residential-office under title 21 are excepted from the commercial area definition (see residential area).

Construction means site preparation, assembly, erection, drilling, substantial repair, alteration, demolition, or similar action or activity for or on: Public or private rights-of-way; structures; utilities; or similar property. For the purposes of this chapter, off-site fabrication and/or manufacture of materials used in construction including but not limited to modular housing fabrication, asphalt or concrete operations, sand/gravel extraction and truss manufacture are not construction.

Construction season means the period from April 1 through October 31, both dates inclusive, of each year.

Contiguous means sharing a common boundary or edge.

Continuous sound means any sound with a duration of more than one second, as measured with a sound level meter set to the "slow" meter response.

Decibel (dB) means a unit measure of sound level.

Demolition means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

Department means the Municipal Department of Health and Human Services.

Director means the Director of the Anchorage Health Department or his/her designee.

Emergency work means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Equivalent A-weighted sound level (L_{eq}) means the constant sound level that in a given situation and time period conveys the same sound energy as the actual time-varying A-weighted sound.

Extraneous sound means a sound which is transient in nature and is neither part of the ambient sound, nor comes from the sound source under investigation. Examples of extraneous sound include automobile horns and brakes, air transport vehicles, people shouting and dog barking.

Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Impulsive sound means sound of short duration, usually less than one second and of high intensity, with an abrupt onset and rapid decay, examples of which include explosions, drop forge impacts and the discharge of firearms.

Industrial area means any parcel of land zoned as industrial district under title 21. It also means any development area within a community development district where the designated land use is industrial.

L_{max} means a single event metric used to describe the greatest sound level in decibels during a given time period and location.

Motor carrier vehicle engaged in interstate commerce means any vehicle for which regulations apply pursuant to section 18 of the Federal Noise Control Act of 1972 pertaining to motor carriers engaged in interstate commerce.

Motor vehicle means any motorized vehicle which is self-propelled including but not limited to automobile, motorcycle, snow mobile, mini-bike, go-cart, motor scooter and off-road vehicle but excluding railroad trains as defined under AMC 9.04.010.

Motorboat means any vessel that operates on water and is propelled by a motor, including but not limited to boats, barges, amphibious craft, water ski towing devices and hovercraft, but excluding vessels engaged in international commerce.

Muffler and sound-dissipative device mean a device for abating the sound of escaping gases of an internal combustion engine.

Noise means any sound that annoys or disturbs humans or causes or tends to cause an adverse psychological or physiological effect on humans.

Noise disturbance means any sound that endangers or injures the safety or health of humans or animals, annoys or disturbs a reasonable person of normal sensitivities, or endangers or injures personal or real property.

Noise-sensitive zone means any area designated pursuant to section 15.70.040.A.6 for the purpose of ensuring exceptional quiet.

Person means a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person.

Powered model vehicle means any self-propelled airborne, waterborne or landborne plane, vessel or vehicle that is not designed to carry persons, including but not limited to any model airplane, boat, car or rocket.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, public use easement or similar place owned or controlled by a governmental entity.

Public space means any real property or structures thereon owned or controlled by a governmental entity.

Pure tone means any sound that can be distinctly heard as a single pitch or a set of single pitches. For the purposes of this chapter a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands by five dB for center frequencies of 500 Hz and above and by eight dB for center frequencies between 160 and in 400 Hz and by 15 dB for center frequencies less than or equal to 125 Hz.

Real property boundary means an imaginary line along the ground surface and its vertical extension or between separate apartments or condominiums that separates the real property owned, rented or leased by one person from that owned, rented or leased by another person.

Residential area means any parcel of land zoned as residential district, residential office district, public lands and institutions district, parks and recreation or recreation reserve district, development reserve district, watershed district, the turnagain arm district, girdwood commercial recreation or resort use district, or the girdwood institutions and parks or open space districts under title 21. It also means any development area within a planned community development district under Title 21 where the designated land use is residential.

RMS sound pressure means the square root of the time averaged square of the sound pressure, denoted P_{rms} .

Sound means an oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound level means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network such as A, B or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971 or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A weighting shall apply.

Sound level meter means an instrument that includes a microphone, amplifier, RMS detector, integrator or time averager, output meter and weighting networks used to measure sound pressure levels.

Sound pressure means the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

Sound pressure level means 20 times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals (20 micronewtons per square meter). The sound pressure level is denoted L_p or SPL and is expressed in decibels.

Total sound level means that measured level which represents the summation of the sounds from the sound source under investigation and the ambient sounds which affect a given place at a given time, exclusive of extraneous sound sources.

Vibration means a rapid linear motion of an elastic solid described by displacement, velocity, acceleration, or as measured with respect to a given reference point or equilibrium position.

Vibration perception threshold means the minimum ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by direct means such as but not limited to sensation by touch or visual observation of moving objects.

Weekday means any day Monday through Friday that is not a legal state holiday.

B. All terminology used in this chapter and not defined in subsection A of this section or in chapter 15.05 shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

(GAAB 16.85.030; AO No. 78-48; AO No. 85-18; AO No. 94-77(S), § 1, 5-31-94; AO No. 2001-97, § 1, 5-22-01; AO No. 2011-59, § 1, 5-24-11; AO No. [2018-118](#), § 2, 1-1-19)

Cross reference— Definitions and rules of construction generally, § 1.05.020.

15.70.040 - Powers and duties of Anchorage Health Department.

- A. The noise control program established by this chapter shall be administered by the department, which shall have in addition to any other authority vested in it the following powers:
1. The department may conduct or cause to be conducted research, monitoring and other studies related to sound and vibration.
 2. The department may coordinate the noise and vibration control activities of all municipal departments, cooperate where practicable with all appropriate state and federal agencies and enter into contracts for the provision of technical services.
 3. The department may request any other department or agency responsible for a proposed or final standard, regulation or similar action to consult on the advisability of revising the action if there is reason to believe that the action is not inconsistent with this chapter.
 4. The department may review public and private projects subject to mandatory review or approval by other departments for compliance with this chapter if such projects are likely to cause sound or vibration in violation of this chapter.
 5. The department and the police department may, except as otherwise prohibited by law, stop any motor vehicle, motorcycle or motorboat operated on a public right-of-way, public space or public waterway reasonably suspected of violating any provision of this chapter and issue a notice of violation or compliance order after the motor vehicle, motorcycle or motorboat is inspected or tested on-site as the department and the police department may require.
 6. The department may prepare recommendations to be approved by the assembly for the designation of noise-sensitive zones containing noise-sensitive activities. Existing areas posted as quiet zones shall be considered noise-sensitive zones until otherwise designated.
 7. The department may study existing transportation systems within the community, such as truck routes, determine areas with sensitivity to sound and vibration caused by transportation, recommend changes or modifications to the transportation systems to minimize the impact of sound and vibration on residential areas and noise-sensitive zones, and assist in or review the total transportation planning of the community, including planning for new roads and highways, bus routes, airports and other systems for public transportation to ensure that the impact of sound and vibration receive adequate consideration.
 8. The department may evaluate and report to the mayor and assembly on the effectiveness of the municipal noise control program and make recommendations for legislative or budgetary changes necessary to improve the program.
- B. In order to implement and enforce this chapter effectively, the department shall within a reasonable time carry out the following duties:
1. The department shall develop and promulgate standards, testing methods and procedures.
 2. The department shall investigate and pursue possible violations of this chapter.
 3. The department shall delegate functions, where appropriate, under this chapter to personnel within the department as deemed necessary by the director and to other municipal departments subject to the approval of the mayor.
 4. The department may make recommendations for modifications or amendments to this chapter to ensure consistency with all state and federal laws and regulations.
 5. The department shall administer noise program grants or other funds and gifts from public and private sources, including any state and federal grants.

(AO No. 78-48; AO No. 85-8; AO No. 2011-59, § 2, 5-24-11; AO No. [2018-118](#), § 2, 1-1-19)

15.70.050 - Governmental compliance.

- A. All municipal departments and agencies shall to the fullest extent consistent with other law carry out their programs in such manner as to further the policy of this chapter.
- B. All municipal departments and agencies shall cooperate with the Anchorage Health Department to the fullest extent in enforcing this chapter.
- C. All municipal departments and agencies shall comply with federal and state laws and regulations and the provisions and intent of this chapter respecting the control and abatement of noise to the same extent that any person is subject to such laws and regulations.

(AO No. 78-48; AO No. 85-8; AO No. 2011-59, § 3, 5-24-11; AO No. [2018-118](#), § 2, 1-1-19)

15.70.060 - Prohibited acts and conditions.

- A. No person shall unreasonably make, continue or cause to be made or continued any noise disturbance except noncommercial public speaking or public assembly activities conducted on any public space or public right-of-way.
- B. The following acts and conditions and the causing thereof are declared to be in violation of this chapter:
 - 1. *Aircraft and airport operations.* No person shall operate aircraft engines while the aircraft is on the ground or operate an airport facility in such a manner as to cause a noise disturbance across a residential real property boundary, on a public space or within a noise-sensitive zone. When complaints are received by the department, the director shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance that the airport owner may have authority to control in its capacity as proprietor. Nothing in this section shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft that are in all respects conducted in accordance with or pursuant to applicable federal laws or regulations, including but not limited to takeoff, landing or overflight procedures.
 - 2. *Animals.* No person shall own, possess, or harbor any animal that causes a noise disturbance. This subsection does not apply to chronic animal noises which are governed by title 17. This subsection does not apply to sounds created in a public zoo.
 - 3. *Construction.* No person, unless issued a permit by the department pursuant to 15.70.070 and meeting all conditions of the permit, shall engage in construction or cause or allow construction:
 - a. So that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise-sensitive zone between the hours of 10:00 p.m. and 6:00 a.m. during the construction season, or between the hours of 10:00 p.m. and 7:00 a.m. during other months, or at any time on Sundays or state holidays; or
 - b. So that the sound level therefrom exceeds an L_{eq} of 80 dB(A) at or within a residential real property boundary or within a noise-sensitive zone during any one hour of the daily period from 6:00 a.m. to 10:00 p.m. during the construction season or from 7:00 a.m. to 10:00 p.m. during other months; or
 - c. So that the sound level therefrom exceeds an L_{eq} of 80 dB(A) at or within a commercial or industrial real property boundary during any one hour of the daily period from 6:00 a.m. to 10:00 p.m. during the construction season or from 7:00 a.m. to 10:00 p.m. during other months.

The restrictions of subsection B.3. of this section do not apply to emergency work of public service utilities as provided in section 15.70.020 B., the noncommercial use of power tools as provided for in subsection B.4. of this section or construction for which a permit has been issued pursuant to section 15.70.070 A. when all conditions of the permit are met.

- 4. *Noncommercial use of power tools.* No person shall operate or permit the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool, snow blower or similar device in residential areas between the hours of 10:00 p.m. and 7:00 a.m. the following day so as to cause a noise disturbance across a residential real property boundary.
- 5. *Emergency signaling devices.* No person shall intentionally sound or permit the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes or for testing as provided in this subsection. Testing of a stationary emergency signaling device shall occur at the same time of day each time such a test is performed but not before 7:00 a.m or after 10:00 p.m. Any such testing shall only use the minimum cycle test time. In no case shall such test time exceed 60 seconds. Testing of the complete emergency signaling system, including the functioning of the signaling

device and the personnel response to the signaling device, shall not occur more than once in each calendar month or before 7:00 a.m. or after 10:00 p.m. unless otherwise specifically required by statute or ordinance. The 60-second time limit specified in this subsection shall not apply to such complete system testing. No person shall sound or permit the sound of any exterior burglar alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within ten minutes of activation.

6. *Explosives, firearms and similar devices.* No person shall use or fire explosives, firearms or similar devices that create impulsive sound so as to create a noise disturbance across a real property boundary or on a public right-of-way except as otherwise permitted by the terms of a permit issued to the owner or operator of a shooting range or user of explosives or similar devices pursuant to section 15.70.070.A. Such permit need not be obtained for licensed game-hunting activities on property where such activities are authorized by federal or state laws or for military personnel and components engaged in authorized military training exercises on federal property.
7. *Loading and unloading.* No person shall load, unload, open, close or otherwise handle boxes, crates, containers, building materials, refuse containers including garbage cans or similar objects between the hours of 10:00 p.m. and 7:00 a.m. the following day in such a manner as to cause a noise disturbance across a residential real property boundary or within a noise-sensitive zone.
8. *Loudspeakers and public address systems.* No person shall use or operate for any purpose any loudspeaker, public address system or similar device so that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise-sensitive zone unless a permit has been issued by the department pursuant to section 15.70.070 and all conditions of the permit are met.
9. *Operation of motorboats.* No person shall operate or permit the operation of any motorboat in any lake, river, stream or other waterway in such a manner as to exceed a sound level of 80 dB(A) at 50 feet (15 meters) or more from the motorboat or at the nearest shoreline.
10. *Motor vehicle or motorboat repairs and testing.* No person shall repair, rebuild, modify, idle, run, accelerate or test any motor vehicle or any auxiliary equipment attached to such vehicle, motorboat or aircraft in such a manner as to cause a noise disturbance across a residential real property boundary or within a noise-sensitive zone.
11. *Noise-sensitive zones.* No person shall create or cause the creation of any sound within any noise-sensitive zone designated pursuant to section 15.70.040.A.7 so as to disrupt the activities normally conducted within the zone, provided that conspicuous signs are displayed indicating the presence of the zone. No person shall create or cause the creation of any sound within any noise-sensitive zone designated pursuant to section 15.70.040.A.7 containing a hospital, nursing home or similar activity so as to interfere with the functions of such activity or disturb or annoy the patients in the activity, provided that conspicuous signs are displayed indicating the presence of the zone.
12. *Places of public entertainment.* No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device that produces, reproduces or amplifies sound in any place of public entertainment at a sound level greater than 90 dB(A) as read by the slow response on a sound level meter at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place near each public entrance stating, "Warning: Sound Levels Within May Cause Permanent Hearing Impairment."
13. *Powered model vehicles.* No person shall operate or permit the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary, in a public space or within a noise-sensitive zone. Maximum sound levels for residential property or in a public space during the permitted period of operation shall conform to those set forth for residential land use in table 1 of section 15.70.080.A and shall be measured at a distance of 50 feet (15 meters) from any point on the path of the vehicle. Maximum sound levels for noise-sensitive zones during the permitted period of operation shall be governed by subsection B.11 of this section.
14. *Public service utilities.* No person shall operate or permit the operation of public service utility generation, transmission or distribution sites, facilities or substations thereof providing electrical power or natural gas in such a manner as to create a sound level that exceeds at or within a residential real property boundary or within a noise-sensitive zone an L_{eq} of 65 dB(A) during any one hour of operation; provided, however, that such sites, facilities or substations were in use and operation on or before January 1, 1979.

15. Radios, televisions, musical instruments and similar devices. Except as provided for in subsection B.8. of this section, no person shall operate, play or permit the operation or playing of any radio, television, phonograph, DVD, cassette player, compact disk, boom box, drum, other musical instrument, sound amplifier or similar device that produces, reproduces or amplifies sound:
 - a. In such a manner as to create a noise disturbance across a real property boundary or within a noise-sensitive zone except for activities open to the public and for which a permit has been issued by the department as provided in section 15.70.070 A. and all conditions of the permit are met;
 - b. In such a manner as to create a noise disturbance at 50 feet (15 meters) from such device when operated in or on a boat on public waters; or
 - c. In such a manner as to create a noise disturbance to any person other than the operator of the device when operated on a common carrier by any passenger.
16. *Stationary nonemergency signaling devices.* No person shall sound or permit the sounding of any electronically amplified signal from any stationary siren, whistle or similar device intended primarily for nonemergency purposes from any place in such a manner as to create a noise disturbance across a residential real property boundary or within a noise-sensitive zone.
17. *Street sales.* No person shall offer for sale or sell anything by shouting or outcry within any residential or commercial area of the municipality except between the hours of 7:00 a.m. and 10:00 p.m.
18. *Tampering with noise control device or sound monitoring equipment.* No person shall remove or render inoperative for purposes other than maintenance, repair or replacement any noise control device or element of design or noise label of any product manufactured to meet specific noise emission limits under federal or state law. No person shall move or render inaccurate or inoperative any sound monitoring instrument or device positioned by or for the department when such device or the immediate area is clearly labeled using a placard provided by the department to warn of the potential illegality. No person shall use a product manufactured to meet specific noise emission limits under federal or state law that has had a noise control device or element of design or noise label removed or rendered inoperative with knowledge that such action has occurred.
19. *Vibration.* No person shall operate or cause the operation of any device that produces low-frequency, audible or inaudible sound that creates vibration above the vibration perception threshold of any individual within a residential real property boundary or within a noise-sensitive zone between the hours of 10:00 p.m. and 7:00 a.m. the following day.

(GAAB 16.85; AO No. 78-48; AO No. 94-77(S), § 2, 5-31-94; AO No. 2001-97, § 2, 5-22-01; AO No. 2011-59, § 4, 5-24-11)

Cross reference— Vehicles and traffic, tit. 9; business licenses and regulations, tit. 10; transportation, tit. 11; Port of Alaska, ch. 11.50; municipal airports, ch. 11.60; animals, tit. 17; building regulations, ch. 23.05; streets and rights-of-way, tit. 24; utilities, tit. 26.

15.70.070 - Noise permits.

- A. *Generally.* The department shall have the authority consistent with this section to grant permits that may be requested pursuant to sections 15.70.060 B.3., pertaining to construction, 15.70.060 B.6., pertaining to explosives, firearms and similar devices, 15.70.060 B.15.a., pertaining to public events, 15.70.090 E., pertaining to snow removal and street sweeping equipment off public rights-of-way, and 15.70.090 G., pertaining to motor vehicle racing events.
- B. *Application.* Any person seeking a noise permit shall file with the department an application using a form provided by the department and containing specific information that demonstrates that bringing in to compliance with this chapter the source of sound or activity for which the permit or variance is sought would constitute an unreasonable hardship on the applicant, the community or other persons.
 1. Any person seeking a noise permit shall file an application with the director at least 20 days prior to the commencement of the noise for which the permit is requested. The director shall have authority to waive, consistent with administratively established criteria, the 20-day time requirement in order to expedite issuance of permits.
 2. If the director determines that the activity for which a permit has been applied has substantial potential for adverse impact to the public, the director shall, within ten days of the receipt of the application, publish notice in a major circulation newspaper and/or on a publicly accessible

website soliciting public comments regarding the application. The director may require the permit applicant to distribute written information regarding the nature and timing of the activity addressed in the application to those likely to be affected by the granting of a permit.

3. Any individual who claims to be adversely affected by allowance of a permit may file a statement with the department containing any information to support the claim. Upon the written request for a hearing by any affected person, the applicant or the director, an administrative hearing shall be held within 15 days pursuant to chapter 3.60 to consider evidence relative to the criteria set forth in subsection C. of this section.
- C. *Criteria for approval.* In determining whether to grant or deny an application for a permit, the director or hearing officer shall balance the hardship to the applicant, the community and other persons of not granting the permit against the adverse impact on health, safety and welfare of persons affected, the adverse impact on property affected and any other adverse impacts of granting the permit. Applicants may be required to:
1. Measure or allow the department to measure the sound level of or the vibration from any source in accordance with the methods and procedures and at such locations and times as the department may reasonably prescribe; and
 2. To furnish reports of the results of such measurements to the department; and
 3. To require the measurements to be conducted in the presence of a department code enforcement officer; and
 4. An applicant for a permit and persons contesting the granting of a permit may be required to submit any other information the department may reasonably require; and

In granting or denying an application, the director shall keep on public file a copy of the decision. In the event that a permit application is denied, written justification for denial shall be kept on public file. No permit shall be granted for any source of sound or activity that violates or would violate any provision of federal or state law or any provision of any other chapter of this title or this Code.

- D. *Conditions.* Permits shall be granted by notice to the applicant containing all necessary conditions, including as part of any permit a time limit on the permitted activity. The director may require the permittee to provide public notice prior to the activity pursuant to provisions in B.2. of this section. The permit shall not become effective until all conditions are agreed to in writing by the applicant. Noncompliance with any condition of a permit shall terminate the permit and subject the person holding it to those provisions of this title regulating the source of sound for which the permit was granted.
- E. *Extensions.* Application for extension of time limits specified in permits or for modification of other substantial conditions shall be treated like applications for initial permits under subsection C of this section.
- F. *Duration.* No permit shall be granted pursuant to this section for an initial period longer than one year.
- G. An applicant applying for a noise permit fewer than 20 days prior to the commencement of the noise for which the permit is requested shall pay a late fee of ten percent of the permit fee in addition to the permit fee listed in AMC 15.05.001.

(GAAB 16.85; AO No. 78-48; AO No. 89-130; AO No. 2011-59, § 5, 5-24-11)

15.70.075 - Measuring sound levels.

- A. For purposes of this section, operator shall mean a department code enforcement officer or other person authorized by the director to measure sound levels for purposes of this chapter.
1. If measurements are made with a sound level meter, the meter shall be an instrument in good operating condition, meeting the requirements of a Type I or Type II meter, as specified by ANSI Standard 1.4-1971. For purposes of this Title, a sound level meter shall contain at least an A-weighted scale, and both fast and slow meter response capacity.
 2. If measurements are made with other instruments, the procedure shall be carried out in such a manner that the overall accuracy shall be at least that called for ANSI standard 1.4-1971 for Type II instruments.
 3. When the location or distance prescribed in this title for measurement of sound is impractical or would provide misleading or inaccurate results, measurements may be taken at other locations or distances using appropriate correction factors specified in this title or in other rules promulgated by the operator.
 4. Copies of procedures and tests required by this chapter and not specified herein, shall be kept on file at the department.
- B. Department code enforcement officers or other operators conducting sound level measurements shall be trained in techniques and principles of sound measurement and operation of sound measuring instrumentation.

(AO No. 2011-59, § 6, 5-24-11)

15.70.080 - Property line noise emission standards.

- A. Except when a permit has been issued by the department or as otherwise provided in subsection B. of this section, no person shall operate or allow to be operated on public or private property any source of sound in such a manner as to create a sound level that exceeds the limits set forth for the receiving land use category in Table 1 of this chapter when sound levels are measured at or within the real property boundary of the receiving land use.

Table 1. Sound Levels By Emitting and Receiving Land Use

Receiving Property Line Limits (7:00 a.m.—10:00 p.m.) (dB (A) L _{max})			
	Emitting Property		
Receiving Property	Residential	Commercial	Industrial
Residential	60	65	70
Commercial	70	70	75
Industrial	80	80	80

Receiving Property Line Limits (10:00 p.m.—7:00 a.m.)			
	Emitting Property		
Receiving Property	Residential	Commercial	Industrial
Residential	50	55	65
Commercial	60	60	70
Industrial	80	80	80

- B. The provisions of subsection A. of this section shall not apply to the unamplified human voice or activities covered by sections 15.70.060 B.1., pertaining to aircraft and airport operations, 15.70.060 B.3., pertaining to construction during the construction season between the hours of 6:00 a.m. and 10:00 p.m., 15.70.060 B.4., pertaining to domestic power tools, 15.70.060 B.5., pertaining to emergency signaling devices, 15.70.060 B.6., pertaining to explosives, firearms and similar devices, 15.70.060 B.9., pertaining to motorboats, 15.70.060 B.14., pertaining to public service utilities, 15.70.060 B.16., pertaining to stationary nonemergency signaling devices, 15.70.090 A., pertaining to motor vehicles operating on public rights-of-way, 15.70.090 D., pertaining to refuse collection vehicles, and 15.70.090 E., pertaining to snow removal vehicles on Anchorage School District property and other public rights-of-way.
- C. Notwithstanding the above provisions in this section, no person shall cause, suffer, allow or permit the operation of any amplified sound on private property in such a manner that it raises the total sound levels of the permissible sound limits set forth in Table 2 when measured within the residence, dwelling, or building structure of a complainant. If the source of sound is amplified sound on private property, and the complainant states that the rhythmic bass component of the music is disturbing within their residence, dwelling, or building structure, then the noise enforcement officer may take sound level measurements within the residence, dwelling, or building structure of the complainant. These sound level shall be measured using the "C" weighted sound level, with the sound level meter set for "C" weighting, "fast" response. Such measurements shall not be taken in areas that receive only casual use, such as hallways, closets and bathrooms. For the purposes of these measurements, the ambient sound level is that sound level which is measured in the residence, dwelling, or building structure when the sound source under investigation is not prominent, or in a room on the same floor that is relatively unaffected by the sound source under investigation. The "C"-scale is more sensitive to low frequency sound levels than the "A"-scale; an increase of 3dB is perceived by humans as being plainly audible, an increase of 5dB is plainly louder and an increase of 10dB is perceived as being twice as loud.

Maximum Permissible Sound Level Limits

(Indoors across a real property line)

Weeknights 10:00 p.m.—7:00 a.m.	3 dB(C) above ambient sound levels
Friday, Saturday and Holidays 11:00 p.m.—7:00 a.m.	3 dB(C) above ambient sound
All Other Times	5 dB(C) above ambient sound

(GAAB 16.85; AO No. 78-48; AO No. 2001-97, § 3, 5-22-01; AO No. 2011-59, § 7, 5-24-11)

Cross reference— Supplementary zoning district regulations, ch. 21.45.

15.70.090 - Motor vehicle noise emission standards.

- A. No person shall operate or cause to be operated a motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in table 2 when measured at 50 feet or more or an equivalent sound level at some other convenient distance according to testing procedures established pursuant to section 15.70.040.B.1.

TABLE 2. MOTOR VEHICLE NOISE EMISSION STANDARDS

Vehicle Class	In Speed Zones 35 mph or Less (dB(A))	In Speed Zones Over 35 mph (dB(A))	Stationary Run-up (dB(A))
Motor vehicle of GVWR or GCWR of 10,000 pounds or more engaged in interstate commerce	86	90	88
All other motor vehicles of GVWR or GCWR of 10,000 pounds or more	86	90	—
Any motorcycle	76	80	—
Any other motor vehicle and any combination of vehicles towed by such motor vehicle	76	80	—

- B. No person shall operate or cause or allow to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound-dissipative device in good working order and in constant operation. No person shall remove or render inoperative or cause or allow to be removed or rendered inoperative other than for purposes of maintenance, repair or replacement any muffler or sound-dissipative device on a motor vehicle or motorcycle.
- C. No person shall sound any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public space, except as a warning of danger or as otherwise specifically required by federal or state law or title 9. No person shall sound any horn or other auditory signaling device that produces a sound level in excess of 90 dB(A) at 100 feet (30.5 meters).
- D. No person shall on or after January 1, 1979, operate or permit the operation of the compacting mechanism of any motor vehicle that compacts refuse and creates during the compacting cycle a sound level in excess of 86 dB(A) at 50 feet (15 meters) or more from any point on the vehicle. Between the hours of 10:00 p.m. and 7:00 a.m. the following day, in a noise-sensitive zone, no person shall collect refuse with a refuse collection vehicle or operate or permit the operation of the compacting mechanism of a vehicle that compacts refuse. Between the hours of 10:00 p.m. and 7:00 a.m. the following day, no person shall collect refuse with a refuse collection vehicle or operate or permit the operation of the compacting mechanism of a vehicle that compacts refuse in such a manner as to create a noise disturbance across a residential real property boundary.
- E. No person shall operate or permit the operation of any motor vehicle operating for the purpose of removing snow or street sweeping if at any time the motor vehicle produces a sound level in excess of the level set forth in Table 2 at a distance of 50 feet (15 meters) or more from any point on the vehicle. As provided in Section 15.70.080 B., such motor vehicles are exempt from complying with the sound levels set forth in Table 1 when operating on public rights-of-way. Such motor vehicles operating off a public right-of-way for the purpose of removing snow or street sweeping may be exempt from complying with the sound levels of table 1 when operating in compliance with the terms and conditions of a permit issued pursuant to Section 15.70.070 A.

- F. No person shall operate or permit the operation of any motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds or any auxiliary equipment attached to such a vehicle for a period longer than ten minutes in any hour while the vehicle is stationary for reasons other than traffic congestion on private property or a public right-of-way or public space within 150 feet (46 meters) of a residential area or designated noise-sensitive zone between the hours of 10:00 p.m. and 7:00 a.m. the following day.
- G. Except as permitted in section 15.70.070.A for motor vehicle racing events, no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds the limits set forth in table 3 at a distance of 50 feet (15 meters) or more from the path of the vehicle when operated on a public space or at or across the boundary of private property when operated on private property. This section shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including but not limited to commercial or noncommercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.

TABLE 3. RECREATIONAL VEHICLE NOISE EMISSION STANDARDS

Vehicle Type	Sound Level Limit dB(A)
Snowmobile	76
Motorcycle	76
Any other vehicle	76

(GAAB 16.85; AO No. 78-48; AO No. 2011-59, § 8, 5-24-11)

Cross reference— Vehicles and traffic, tit. 9; miscellaneous vehicle rules, ch. 9.36; transportation, tit. 11; supplementary district regulations, ch. 21.45.

15.70.095 - Electronically amplified sound systems in motor vehicles.

- A. *Prohibited noise.* Notwithstanding any other provisions of this Code, with the exception of this chapter, no person operating in or in control of a parked or moving motor vehicle shall operate or permit the operation of an electronically amplified sound system in or on the motor vehicle so as to produce sound that is clearly audible at 25 feet or more from the motor vehicle or in violation of the provisions in section 15.70.060. For the purpose of this section, the phrase "clearly audible" means that sound is transferred to the auditor, such as but not limited to being able to understand spoken or sung words, or comprehension of musical rhythms.
- B. *Conflicting provisions.* If this section is determined to be in conflict with any other section of this Code, with the exception of this chapter, this section shall take precedence.
- C. *Penalties.* The civil penalties for violations will be assessed through the administrative hearings officer as provided for in chapter 14.20.
- D. *Enforcement.* Any authorized police officer shall issue a citation for any violation under this section, except they may arrest for instances when the alleged violator refuses to provide the officer with such person's name and address and any proof thereof as may be reasonably available to the alleged violator.

(AO No. 94-77(S), § 3, 5-31-94; AO No. 2001-57, § 1, 3-20-01; [AO No. 2015-111\(S-1\), § 4, 1-1-16](#))

Cross reference— Vehicles and traffic, tit. 9; business licenses and regulations, tit. 10; transportation, tit. 11; public nuisances, ch. 15.20; supplementary zoning district regulations, ch. 21.45; streets and rights-of-way, tit. 24.

15.70.100 - Hazardous noise emission standards.

- A. Except as otherwise provided in subsection B of this section, the director shall order an immediate halt to any sound that exposes, where such sound levels are received, any person to continuous sound levels in excess of those shown in table 4 or to impulsive sound levels in excess of those shown in table 5. As soon as reasonably possible following issuance of such an order, the municipal attorney shall apply to the Superior Court, Third Judicial District, or other court having jurisdiction, for an injunction to replace the order.
- B. No order pursuant to subsection A of this section shall be issued if the only persons exposed to sound levels in excess of those listed in tables 4 and 5 are exposed as a result of trespass, invitation upon private property by the person causing or permitting the sound, or employment by a contractor or the person causing or permitting the sound. In determining continuous sound levels shown in table 4, equal energy time-intensity tradeoff shall be used if the sound level varies, and the energy equivalent over 24 hours shall be found.

TABLE 4. HAZARDOUS CONTINUOUS NOISE EMISSION LEVELS

Sound Level Limit dB(A)	Duration
90	24 hours
93	12 hours
96	6 hours
99	3 hours
102	1.5 hours
105	45 minutes
108	22 minutes

TABLE 5. HAZARDOUS IMPULSIVE NOISE EMISSION LEVELS

Sound Level Limit dB(A)	Number of Impulses per 24-hour Period
145	1
135	10
125	100

15.70.110 - Penalties and remedies other than for motor vehicles.

- A. Notwithstanding provisions for penalties and remedies in Section 15.70.095, the department may seek any or all of the following remedies:
1. Enjoin or abate a violation of this chapter.
 2. Recover the costs of abatement.
 3. Recover damages suffered because of the violation.
 4. Recover a fine as set forth in Section 14.60.030, or if no fine is set forth in Section 14.60.030, a fine of not less than \$100.00 for each day in violation, including for days in which the violation continues or is not abated after an enforcement order is issued.
 5. Assess up to double the amount of fine, penalty, costs and damages for a second or subsequent offense committed by the same person within one year of service of an enforcement order, even if the offense occurs on a different property parcel. For purposes of this subsection a second or subsequent offense must be categorized the same as the original offense, as identified in subsection 15.70.060.
 6. Recover a civil penalty not exceeding \$1,000.00 for each violation.
- B. The department shall keep an account of the cost, including incidental expenses, incurred by the municipality in the abatement of any violation of this section. A bill for collection shall be forwarded to the violator specifying the nature and costs of the work performed. For purposes of this section, the term "incidental expenses" shall include but not be limited to the actual expenses and costs to the municipality in the preparation of the notices, specifications, contracts, work inspection, and interest from date of completion at the rate prescribed by law for delinquent real property taxes.
- C. The remedies provided in this section are not exclusive, but are cumulative of all other remedies available at law or in equity.

(AO No. 2011-59, § 9, 5-24-11)