

**BILL NO. 2 of 2021**

**A LOCAL LAW** to amend Russell Gardens Code Chapter 30 entitled “Noise; Disturbance of the Peace:”

Section One. Section 30-2 entitled “Sound equipment; playing of music; air conditioner units and generators” is hereby amended as follows:

- A. No radio, television, recording device or other sound-producing equipment of similar audio nature shall be played or operated so as to produce noise that exceeds the limit in **§30-6**.
- B. Music shall not be played in such a way that it exceeds the limits in **§30-6**.
- C. No stationary or portable air conditioner unit shall be operated so as to produce noise that exceeds the limits in **§30-6**.
- D. Generators may be used only in emergency situations that result in power outages. Testing of generator equipment shall not occur:
  - (1) more than once a week; and
  - (2) at any time on Saturdays, Sundays or holidays; and
  - (3) between the hours of 4:00 p.m. and 10:00 a.m.
- E. Any exterior unit uses in conjunction with this section shall, in addition with other requirements, be subject to Design Review Board review including, but not limited to, being screened in by shrubbery.

Section Two. Section 30-6 entitled “Noise standards” is hereby amended as follows:

Maximum Permissible Sound Levels at Specified Times  
Measured in dBA

Source of Sound	Receiving Property	Sound Level Limits
Residential occupancy or public place	Residential occupancy or public place	50 dBA when measured between the hours of 10:00 p.m. and 7:00 a.m.  65 dBA when measured

		between the hours of 7:00 a.m. and 10:00 p.m.
Commercial occupancy	Residential occupancy or public place	50 dBA when measured between the hours of 10:00 p.m. and 7:00 a.m.  65 dBA when measured between the hours of 7:00 a.m. and 10:00 p.m.
Generators	Commercial or residential occupancy or public place	70 dBA

Section Three. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section Four. This local law shall take effect immediately upon filing with the Secretary of State.