

GENERAL ORDINANCE NO.15-2023

BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, COUNCILMEMBERS, WILLIAMS, AND PINEDA –ISAAC:

GENERAL ORDINANCE AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF YONKERS KNOWN AS "NOISE" RELATING TO PROHIBITED NOISES.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Chapter 66 of the Code of the City of Yonkers entitled "Noise" is hereby amended, in part, by amending Subsection A of 66-4 entitled "Enumeration of prohibited noises" to read as follows:

§ 66-4. Enumeration of prohibited noises.

The following acts are declared to be a violation of §66-3. Said enumeration shall not be deemed to be exclusive.

- A. Sound- reproduction systems, in violation of the dBA's outlined in § 66-5: operating, playing, or permitting the operation or playing of any radio, phonograph, tape player, compact disc player, television, receiver, or similar device that reproduces or amplifies sound in such a manner as to create a noise disturbance for any person other than the operator of the device.

Section 2. Chapter 66 of the Code of the City of Yonkers entitled "Noise" is hereby amended, in part, by amending Section 66-5 entitled "Prima facie evidence of noise disturbance" to read as follows:

§66-5 Prima facie evidence of noise disturbance

The following shall be considered prima facie evidence of noise disturbance:

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- A. A sound-level reading taken at a dwelling within a multi-dwelling-unit building, arising from any location within a multi-dwelling-unit building, above 50 dBA during the time period commencing at 7:00 a.m. and ending at 10:00 p.m.
- B. A sound-level reading taken at a dwelling within a multi-dwelling-unit building, arising from any location within a multi-dwelling-unit building, above 45 dBA during the time period commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.
- C. A sound-level reading taken at a residential property, arising from another residential property, above ~~85~~ 55 dBA during the time period commencing at 7:00 a.m. and ending at 10:00 p.m. .
- D. A sound-level reading taken at a residential property arising from a commercial property above ~~65~~ 50 dBA during the time commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.
- E. A sound-level reading taken at a residential property, arising from a commercial property, an industrial property, a public space or a public right-of-way, above 70 dBA during the time period commencing at 7:00 am. and ending at 10:00 p.m.
- F. A sound-level reading taken at a residential property, arising from a commercial property, an industrial property, a public space or a public right-of-way, above 50 dBA during the time period commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.
- G. A sound-level reading taken at a commercial property at any time, arising from any property source, above 70 dBA.

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H. A sound-level reading taken at an industrial property at any time, arising from any property source, above 70 dBA.

I. A sound plainly audible at a distance of 100 50 feet from its source.

Section 3. This ordinance shall take effect immediately upon compliance with §C4-6 of the Charter of the City of Yonkers.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 14, 2023. BY A VOTE OF 5-2. MINORITY LEADER BREEN AND COUNCIL MEMBER MERANTE VOTING NAY.

J. All-Bellamy
COUNCIL PRESIDENT

11/17/2023
DATE

SENT TO MAYOR 11/20/2023
DATE

[Signature]
MAYOR

APPROVED 11/21/23
DATE

ATTEST
[Signature]
CITY CLERK

11/21/23
DATE