

47. NOISE CONTROL STANDARDS

47.1 PUBLIC DISTURBANCE

47.1.1 A person commits the offense of causing a public disturbance if he or she discharges a firearm, explosive or explosive device of any kind within 1000 feet of any dwelling not owned or occupied by that person, and causes annoyance and/or alarm to the complainant.

47.1.2 Exceptions:

- a. A person discharging a firearm in the lawful defense of person or property.
- b. A person discharging a firearm in the course of lawful hunting.
- c. A landowner and guests of the landowner discharging a firearm, when the discharge will not endanger adjacent persons or property.
- d. A person discharging a firearm on a public or private shooting range, shooting gallery or other area designed and built for the purpose of target shooting.
- e. A person discharging a firearm in the course of target shooting on public land that is not inside an urban growth boundary if the discharge will not endanger persons or property.

47.2 PUBLIC DISTURBANCE BETWEEN THE HOURS OF 10:00 PM AND 7:00 AM

47.2.1 A person commits the offence of causing a public disturbance if he or she disturbs the peace and tranquility of any neighborhood or person between the hours of 10:00 p.m. and 7:00 a.m. by loud and/or boisterous means, or permits a dog to habitually bark causing annoyance to the complainant.

47.2.2 Exceptions:

- a. This section does not apply to a business operated in zone AF, EFU, or F80 if the noise is reasonably necessary and in furtherance of that business.
- b. Farm animals.

c. A peace officer, firefighter, or other emergency personnel and vehicles engaged in the performance of his/her duties.

d. Conditions granted by the Board of Commissioners of Clatsop County in accordance with any permit or conditional use permits.

47.2.3 Nothing herein shall prevent a police officer from acting as the complainant if the violation was observed by the police officer and the noise is likely to cause public annoyance or alarm.

47.4 PENALTIES:

47.4.1 Violations of this ordinance is punishable by a fine of not less than \$100.00 for the first offense and double for each conviction thereafter. The maximum fine shall not be more than \$600.00.

47.4.2 In addition to the penalties prescribed in this section, the sound producing device may be seized and upon the order of the Court destroyed or sold with the proceeds of the sale deposited in the Clatsop County General Fund.