

11.12.070 - Excessive noise.

- A. Except for properties lying within an area zoned DTC district and properties zoned CF district that are contiguous to those zoned DTC district, it shall be unlawful for any person to:
1. Operate or allow the operation of any sound amplification equipment so as to create sounds that are plainly audible from the boundary line of the nearest residentially occupied property. For multifamily structures, including apartments, condominiums, or other residential arrangements where boundary lines can not readily be determined, it shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds that are plainly audible from any point within the interior of another residential unit in the same complex or within the boundary line of the nearest residentially occupied property. For purposes of this section, "sound amplification equipment" means a radio, tape player, compact disc player, digital audio player, television, electronic audio equipment, musical instrument, sound amplifier, or other mechanical or electronic sound-making device that produces, reproduces or amplifies sound. This subsection shall not apply to a special event, mass gathering or other permitted activity by the metropolitan government or its boards or commissions. Further, the provisions of this section shall not apply to entertainment facilities constructed to provide outdoor entertainment owned by metropolitan government or its agencies and parks under the control of the board of parks and recreation. For the purpose of this subsection, "plainly audible" means any sound which clearly can be heard by unimpaired auditory senses.
  2. Operate or allow the operation of any sound amplification equipment for advertising purposes or otherwise to attract customers so as to cast sounds which are unreasonably loud and disturbing or which are plainly audible at or on the boundary of the nearest public right-of-way or park. For the purpose of this subsection, "plainly audible" means any sound which clearly can be heard by unimpaired auditory senses.
  3. Operate or allow the operation for personal use of any sound amplification equipment on the public right-of-way, including streets or sidewalks, or in parks under control of the board of parks and recreation, so as to produce sounds that are plainly audible fifty feet or more from any electromechanical speaker. For the purpose of this subsection, "plainly audible" means any sound which clearly can be heard by unimpaired auditory senses.
- B. The provisions of this subsection B. shall be applicable for properties lying within an area zoned DTC district and properties zoned CS district that are contiguous to those zoned DTC district:
1. Except as provided in subsection B.5. of this section, it shall be unlawful to operate or allow the operation of any amplification device mounted to the exterior of a building or structure, or to operate such device outside of the premises.
  2. It shall be unlawful for interior speakers of an establishment during business operating hours to be aimed or oriented toward the exterior opening of a building, when said speakers produce sounds registering more than eighty-five Decibels (A weighted), as measured at street level fifty linear feet from the outside wall of the structure within which the noise is produced. Other than during business operating hours, it shall be unlawful for any establishment to operate or allow the operation of interior speakers producing sounds registering more than seventy Decibels (A weighted) at or on the boundary of the nearest public right-of-way or park. For purposes of this subsection, "business operating hours" means the hours during which an establishment is open to customers or patrons.
  3. All prerecorded music shall be limited to the 85 Decibel limit (A weighted), regardless of the source including, but not limited to: vinyl records, compact disks, digital video disks, digital audio players, hard drives, solid state memory, tape drives, radio sets or television sets. Such sound measurement shall be taken at street level fifty linear feet from the outside wall of the structure within which the noise is produced. Notwithstanding the foregoing, live music is expressly exempt from the 85 Decibel limitation. Live music shall mean that musicians, instruments and singers will not be prerecorded.

(Ord. BL2013-604 § 1, 2014; Ord. BL2011-65 § 1, 2012; Ord. BL2009-587 § 2, 2010; Ord. BL2008-306 § 2, 2009; Amdt. 1 to Ord. BL2008-259 § 2, 2008; Ord. BL2008-259 §§ 1, 2, 2008; Amdt. 1 to Ord. BL2006-1138 § 1, 2006; Ord. BL2006-1138 § 1, 2006; Ord. 2002-1061 § 1, 2002; Ord. 2001-772 § 1, 2001; Amdts. 1, 2 to Ord. BL2000-378 §§ 1, 2, 2000; Amdt. 1 to Ord. 93-724, 8/3/93; Ord. 93-724 § 1, 1993; Ord. 88-508 § 1, 1988; prior code § 29-1-54)

[https://www.municode.com/lib/rv/metro\\_government\\_of\\_nashville\\_and\\_davidson\\_county/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_TIT11PUPEMQWE\\_DIVIGERE\\_CH11.12OFAGPUPE\\_11.12.070EXNQ](https://www.municode.com/lib/rv/metro_government_of_nashville_and_davidson_county/codes/code_of_ordinances?nodeId=CD_ORD_TIT11PUPEMQWE_DIVIGERE_CH11.12OFAGPUPE_11.12.070EXNQ)