

DICKINSON COUNTY ORDINANCE NO. 20-1
Regulation of Vehicular Noise

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF DICKINSON COUNTY, IOWA:

1. Purpose.

The purpose is to regulate the operation of motor vehicles in the unincorporated limits of Dickinson County, Iowa, in order to prevent excessive noise occasioned by the operation of motor vehicles within the unincorporated limits of Dickinson County, Iowa (hereinafter Dickinson County), and to require motor vehicles operated in Dickinson County, Iowa, to have a proper equipment, designed to prevent excessive noise created by the operation of said motor vehicles and to declare the creating of excessive noise by the operation of Motor vehicles in Dickinson County, Iowa to be a nuisance.

2. Noise Limits.

(a) **Operating Noise Limits.** No person shall operate or be permitted to operate a motor vehicle at any time on any public street, avenue, boulevard, highway, or alley, or under any condition of roadway grade, load, acceleration or deceleration in such a manner as to generate a sound level in excess of the following limits.

<u>Type of Vehicle</u>	<u>Maximum Allowable Sound Pressure Level</u>	<u>Measurement Distance from Motor Vehicle</u>
Motor vehicles weighing less than 10,000 pounds, manufacturer's gross vehicle weight	80 dB(A)	25 feet
Motor vehicles weighing more than 10,000 pounds, manufacturer's gross vehicle weight	88 dB(A)	25 feet

(b) **Noise Sound Pressure Level Measurement.** For the purpose of determining noise and sound pressure levels as set forth in this section, the Dickinson County Sheriff's Office shall adopt departmental regulations providing for appropriate testing procedures.

3. Nuisance.

It is hereby declared the operation of a motor vehicle within the unincorporated limits of Dickinson County, Iowa, which creates excessive noise by reason of not having an exhaust system or muffler as specified in his chapter or having devise specifically prohibited by this chapter, to be a nuisance. It is further declared that the operation of a motor vehicle in a manner that causes the tires of said motor vehicle to emit excessive noise, is a nuisance.

1. Exhaust system and muffler.

No person shall operate a motor vehicle and no owner of a motor vehicle shall permit or

allow the operation of a motor vehicle on a street, roadway, alley or highway within Dickinson County, Iowa, unless such motor vehicle meets the following standards:

(1) Any motor vehicle operated in Dickinson County, shall be equipped with an exhaust system in good working order and in constant operation to prevent excessive noise. Any exhaust system shall be deemed defective and prohibited by this chapter if any changes, modifications, alterations, deletions, adjustment or deteriorations, cause such exhaust system to generate a higher or louder sound level which is excessive noise, than was generated by said vehicle as originally manufactured.

(2) No motor vehicle shall be operated in Dickinson County, Iowa, by any person in any manner or by any method whereby the operation of said motor vehicle will create or cause the motor vehicle or any of its component parts to create excessive noise.

4. Tires:

No person shall operate a motor vehicle and no owner of a motor vehicle shall permit or allow the operation of a motor vehicle in such a manner or by such a method as to cause the tires on said motor vehicle to make any loud, raucous, squealing, screeching noise or other sounds caused by excessive acceleration from a stopped position or while a vehicle is in motion, or be deceleration while a vehicle is in motion. This section shall not apply to any noises or sounds caused by the tires of motor vehicles when the vehicle is engaged in an emergency situation where it is necessary to accelerate or stop the vehicle immediately or suddenly in order to avoid contact with another vehicle or with a pedestrian, as long as the emergency situation is not that of the owner's making.

5. Compression release engine brakes.

No vehicle operator within the unincorporated limits of Dickinson County shall use or caused to be used unmuffled or inadequately muffled "compression release engine brakes".

6. Exemptions.

This chapter shall not apply to authorized police, fire and emergency vehicles and special mobile equipment, licensed and authorized by the State of Iowa as such special mobile equipment.

7. Penalty.

Anyone violating the provisions of this Ordinance:

- (1) Shall upon conviction be subject to imprisonment not to exceed thirty days or fine not to exceed one hundred dollars; or
- (2) In the alternative may be charged with a municipal infraction and upon conviction be subject to a civil penalty and/or relief authorized by Section 364.22 of the Code of Iowa.

9. WHEN EFFECTIVE. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND ADOPTED THIS 15th DAY OF Sept, 2020.

W.C. Leopold
Chair, Dickinson County Board of Supervisors

ATTEST:

Lori Pedersen
Dickinson County Auditor

I, Lori Pedersen, the Auditor of Dickinson County, Iowa, hereby certify that the above Ordinance No. 20-1 was published or posted as required by law.

Lori Pedersen
Dickinson County Auditor