

Noise

By virtue of the authority vested in us by Revised Statutes Annotated of New Hampshire, it is hereby ordered that:

No person shall operate any vehicle on any way in the Town of Albany so as to make any loud, unusual or other unnecessary noise as hereinafter defined:

DEFINITIONS:

1. Vehicle: the word "vehicle" shall include bus highway equipment, motorcycle, motor truck, motor vehicle, semi-trailer, sidecar, tractor, trailer or other vehicle as defined by RSA 259:1.
2. Way: the word "way" shall include crosswalk, intersecting way or other public highway, or other way all as defined by RSA 259:1.
3. Loud, unusual, or other unnecessary noise: the words "loud, unusual or other unnecessary noise" shall include any noise occasioned by any one more of the following actions of the operator of any vehicle:
 - a. Misuse of power exceeding tire traction limits in acceleration, sometimes known as "laying down rubber" or "peeling rubber" or
 - b. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency
 - c. Rapid acceleration by means of quick upshifting of transmission gears with either a clutch and manual transmission or automatic transmission, or
 - d. Rapid deceleration by means of quick downshifting of transmission gears with either a clutch or manual transmission or an automatic transmission or
 - e. Racing of engines by manipulation of the accelerator, gas pedal, carburetor, or gear selection whether the vehicle is either in motion or standing still, or
 - f. The blowing of any horn except as a warning signal or the use of any other noise making device whether the vehicle is either in motion or standing still, or
 - g. The operation of a refrigeration unit or other types of compressors, between the hours of 8:00 PM and 7:00 AM, while the vehicle is not in motion except for emergency use or while actually loading or unloading.
 - h. No sound reproduction systems operated within a motor vehicle shall be used in such a manner as to create unnecessary noise for any person other than the driver and passengers in said vehicle.

PROHIBITED ACTS:

No person shall cause, suffer, allow or permit the following acts except by written permission of the Chief of Police or the Board of Selectmen.

1. Sound reproduction systems operating, playing, or permitting the operation or playing of any radio, television, phonograph or similar device that reproduces or amplifies sound without the use of earphones or headphones upon any way or in any campground.
2. The unlawful discharging of firearms within three hundred feet (300') of state highway or discharge of firearms on a repeating basis, so as to constitute a public nuisance.

PENALTY AND VALIDITY:

Penalty: Any person violating any of the provisions of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a penalty of not more than one hundred (\$100.00) dollars for each offense.

Validity: If any section or part of a section, or paragraph of this Article is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section or paragraph of this Article

Effective: April 1, 1990

By the Albany Board of Selectmen