

ORDINANCE NO. BL2018-1294

An ordinance to amend Chapter 11.12 and Chapter 16.44 of the Metropolitan Code of Laws regarding excessive noise.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 11.12.070 be amended by deleting subsection G in its entirety and substituting in lieu thereof the following:

G. Commercial noise.

1. No person or persons owning, operating, or having the care, custody, or control of any business or commercial facility shall be permitted to operate any equipment, vehicles, or heavy machinery incident to performing business or commercial functions, or engage in any other business or commercial activity between the hours of 9:00 p.m. and 6:00 a.m. which would emit, cause to be emitted, or permit the emission of any noise in excess of seventy Db(A) as measured from any structure within the boundary line of the nearest residentially occupied property at a height of four feet above the immediate surrounding surface.
2. For business or commercial facilities located within the DTC and CF zoning districts, no person or persons owning, operating, or having the care, custody, or control of any business or commercial facility shall be permitted to operate any equipment, vehicles, or heavy machinery incident to performing business or commercial functions, or engage in any other business or commercial activity between the hours of 9:00 p.m. and 6:00 a.m. which would emit, cause to be emitted, or permit the emission of any noise in excess of eighty-five Db(A) as measured from any structure within the boundary line of the nearest residentially occupied property at a height of four feet above the immediate surrounding surface.

Section 2. That Section 16.44.030 is hereby amended by deleting the section in its entirety and substituting in lieu thereof the following:

16.44.030 - Construction sites—Restrictions.

It is unlawful for any person engaged in the construction, repair or demolition of buildings, structures, land, driveways or appurtenances thereto located within the area of the metropolitan government, including transportation of materials to and from a construction site, between the hours of nine p.m. and six a.m., to emit, cause to be emitted, or permit the emission of any noise in excess of seventy Db(A) from construction equipment as measured from any structure within the boundary line of the nearest residentially occupied property affected by the noise at a height of four feet above the immediate surrounding surface.

Section 3. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Freddie O'Connell
Member of Council