

**Chapter 9.50**  
**NOISE CONTROL**

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**9.50.010 Purpose.**

It is County policy to minimize the exposure of citizens to the harmful nuisance, physiological, and psychological effects of excessive noise and to control the level of noise in a manner which promotes commerce; the use, value, and enjoyment of property; sleep and repose; and the quality of the environment.

This Chapter supplements existing regulations for the control of public disturbance noise. It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be specially protected or benefited by the terms of this Chapter. (Ord. O20080001 (part))

**9.50.020 Definitions.**

- (1) "Board" means the Board of Commissioners of Skagit County.
- (2) "County" and "Skagit County" mean the unincorporated areas of Skagit County.
- (3) "Noise" means the intensity, duration and character of sounds from any and all sources.
- (4) "Person" means any individual, corporation, partnership, association, governmental body, state, or other entity whatsoever.
- (5) "Public disturbance" means sources of sound when they unreasonably disturb or interfere with the peace, comfort and repose of property owners or possessors. (Ord. O20080001 (part))

**9.50.030 Administration.**

- (1) Administration and enforcement of this Chapter is the responsibility of the Skagit County Sheriff, his designee and/or other entity designated by the Board.
- (2) Complaints of violations of the Unified Development Code, SCC Title 14, including complaints stemming from uses or activities permitted as a special use under a permit issued by the Skagit County Planning and Development Services or the Skagit County Hearing Examiner, may be referred to Skagit County Planning and Development Services for investigation and enforcement under SCC 14.16.840(5). (Ord. O20080001 (part))

**9.50.040 Public disturbance noises.**

- (1) It is unlawful for any person to cause, or for any person in possession or control of property to allow, sound to originate from the property that exceeds the noise levels permitted by Chapter 173-60 WAC (Maximum Environmental Noise Levels), as that chapter now exists or as it may hereafter be amended. The provisions of this subsection shall not apply to sounds exempted under Chapter 173-60 WAC, as that chapter now exists or as it may hereafter be amended.
- (2) It is unlawful for any person to cause, or for any person in possession or control of property to allow, sound, which unreasonably disturbs or interferes with the peace, comfort, and repose of other property

owners or possessors, to originate from the property. When they unreasonably disturb or interfere with the peace, comfort and repose of property owners or possessors, the following sounds or sources of sound, which by their volume or frequent, repetitive, or continuous sounding, are prohibited public disturbance noises:

- (a) Horns or sirens attached to a motor vehicle between the hours of 10:00 p.m. and 7:00 a.m. except when used as a warning of danger or as specifically permitted or required by law.
  - (b) Yelling, shouting, hooting, or whistling between the hours of midnight and 7:00 a.m.
  - (c) Sound from audio systems, including but not limited to radios and tape and compact disc players, amplifiers, and speakers, which emanate from:
    - (i) Any building, structure, apartment or condominium that is audible at a distance of greater than one hundred fifty (150) feet from the property that the building is on;
    - (ii) Portable audio equipment used on private property when operated at a volume that is audible at a distance greater than one hundred fifty (150) feet from the property; and
    - (iii) Portable audio equipment used on public property when operated at a volume that is audible at a distance greater than one hundred fifty (150) feet from the portable audio equipment.
  - (d) Sound from social gatherings or unamplified musical instruments that emanates from any building, structure, apartment or condominium when audible at a distance greater than one hundred fifty (150) feet from the property that the building is on.
  - (e) Sound from the discharge of firearms during evening and nighttime hours between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise.
  - (f) Sound from a propane cannon, cherry gun, or similar sound-producing device.
  - (g) Sound from a refrigeration unit on a commercial vehicle or from a commercial vehicle's engine when used to operate a refrigeration unit when the vehicle is stationary for longer than thirty (30) minutes and the sound is audible on residential property at a distance greater than one hundred fifty (150) feet.
- (3) The provisions of Subsection (2) of this Section shall not apply to sounds related to:
- (a) Commercial agricultural, fishery, and forestry management activities and operations on land zoned as Natural Resource Lands (Agriculture—Natural Resource Lands, Industrial Forest—Natural Resource Lands, Secondary Forest—Natural Resource Lands, and Rural Resource—Natural Resource Lands) when conducted in compliance with Chapter 14.38 SCC.
  - (b) Regularly scheduled events at public parks, including the use of public address systems for baseball games, concerts or other authorized activities in parks.
  - (c) Officially sanctioned parades and other public events.
  - (d) The use of emergency equipment and work necessary in the interests of law enforcement or for health, safety or welfare of the community.
  - (e) Warning devices not operating continuously for more than five (5) minutes, and safety and protective devices where noise suppression would defeat the intent of the device or is not economically feasible.
  - (f) Church bells, chimes, and carillons.
  - (g) Sounds created by the installation or repair of essential utility services.
  - (h) Surface carriers engaged in interstate commerce by railroad.
  - (i) Aircraft in flight or flight operations, including aircraft engine testing and maintenance, from airports and airfields.
  - (j) Motor vehicle racing events at existing permitted facilities.
  - (k) The operation of motor vehicles on highways which are regulated under Chapter 173-62 WAC.
  - (l) Temporary projects for the emergency maintenance or repair of residential homes, grounds and appurtenances between the hours of 7:00 a.m. and 10:00 p.m.
  - (m) The discharge of firearms at a permitted shooting range or in the course of a lawful activity or lawful hunting.

- (n) Portable generators during periods when there is no electrical service available from the primary supplier due to natural disaster or power outage.
- (o) Unamplified sounds created by domestic animals as regulated by Chapter 7.01 SCC.
- (p) Operation of existing electrical substations and stationary equipment used to convey water, wastewater or natural gas by a utility.
- (q) Amplified sounds that comply with a permit issued by the State, Skagit County or other municipal authority.
- (r) Unamplified use of public parks, playgrounds, and recreation areas during the hours the parks, playgrounds or recreation areas are open for public use.
- (s) The operation of ice cream trucks at levels commonly associated with such vehicles. (Ord. O20080001 (part))

**9.50.050 Penalties.**

- (1) Any violation of this section shall be punished as follows:
  - (a) The first violation by a person within the preceding year shall be a warning.
  - (b) The second violation by a person within a one (1) year period shall be a Class 2 civil infraction carrying a monetary penalty of one hundred twenty-five dollars (\$125.00) plus statutory assessments.
  - (c) A third or subsequent violation by a person within a one (1) year period shall be a criminal misdemeanor punishable by a fine of up to one thousand dollars (\$1,000), ninety (90) days in jail, or both.
- (2) In any prosecution for a civil infraction or criminal misdemeanor, evidence of a sound's level through use of a sound-level meter reading shall not be necessary to establish the commission of the offense.
- (3) Civil infractions under this Chapter shall be enforced pursuant to Chapter 7.80 RCW and the court rules. (Ord. O20080001 (part))

**9.50.060 Provisions not exclusive.**

The provisions of this Chapter shall be cumulative and nonexclusive, and shall not affect any other claim, cause of action or remedy and do not repeal, amend or modify any law, ordinance or regulation relating to noise, but shall be deemed additional to existing statutes, regulations and ordinances, including the provisions of SCC 14.16.840, on noise. (Ord. O20080001 (part))

**9.50.070 Disclaimer of liability.**

Nothing contained in this Chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the county, its officers, employees or agents, for any injury or damage resulting from the failure of anyone to comply with the provisions of this Chapter, or by reason or in consequence of the implementation or enforcement pursuant to this Chapter, or by reason of any action or inaction on the part of the county related in any manner to the enforcement of this Chapter by its officers, employees or agents. (Ord. O20080001 (part))

**9.50.080 Severability.**

This Chapter shall be liberally construed to carry out its broad purposes. If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter, or the application of the provision to other persons or circumstances, is not affected. (Ord. O20080001 (part))