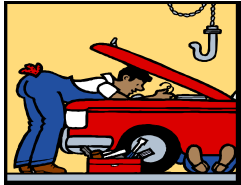




Marion County
OREGON

Code Enforcement Noise Regulations



*Protecting the health and safety
of the county's residents and
visitors, and the livability of the
community*

Marion County Code Enforcement
Sheriff's Office, Marion County Courthouse
100 High St. NE, Salem, Oregon
Phone: (503) 373-4333
email: enforcement@co.marion.or.us

Does the County have noise regulations?

Yes. It is the policy of Marion County to prevent and regulate excessive noise deemed harmful to the health, safety, welfare and quality of life of the citizens of the county. This policy is enforced through County Code Chapter 8.45. Marion County Code Enforcement coordinates with the Sheriff's Office handling noise complaints.

What types of noise complaints are covered under the County's Noise Ordinance?

A noise disturbance is any unreasonable sound that annoys, disturbs, injures, or endangers the comfort, repose health, peace, or safety of others. For example:

- excessively loud tv, stereo or loudspeakers;
- party noises continuing late into the night;
- motor vehicle engine or exhaust long term revving and idling;
- domestic power equipment running between 10:00 p.m. and 7:00 a.m.;
- commercial construction starting too early in the day or too late into the evening;
- auxiliary equipment on vehicles (pumps, (refrigeration units, compressors, etc.)
- off-road vehicles

We don't have authority to enforce:

- noise complaints inside any city limits;
- barking dogs;
- emergency vehicle warning sounds when responding to/from an emergency;
- sounds made for the purpose of obtaining a profit in money by farming;
- sounds from normal operation of timber and other forest product harvesting;
- sounds from organized athletic, religious, educational, civic or other group activities,

- between 7 a.m. and 10 p.m. on property generally used for those purposes;
- sounds made in conjunction with permitted industrial or commercial uses;
- sounds from activities by/on direction of Marion County or the state of Oregon in maintenance, construction or repair of public improvements;
- sounds regulated by federal and state law;
- motor vehicles on a public road unless idling for more than 15 consecutive minutes plainly audible within a dwelling within night time hours.

How do you determine "excessive noise"?

Outside the Salem-Keizer Urban Growth Boundary: using a sound measuring device at the complainant's property line closest to the noise source, or within the complainant's dwelling unit if it is on the same property as the noise source but not the source of the sound, the sound level shall not exceed 55 dBA between 10:00 p.m. and 7:00 a.m. or 65 dBA between 7:00 a.m. and 10:00 p.m. except if the sound producing device is an off-road vehicle (see below).

Within the Salem-Keizer Urban Growth Boundary: it is unlawful to knowingly create any noise disturbance or sound plainly audible within any dwelling unit other than the source between 10:00 p.m. and 7:00 a.m. the following day. The following acts are declared noise disturbances: dynamic braking devices, idling engines more than 15 consecutive minutes between 10:00 p.m. and 7:00 a.m. and motor vehicle repair and testing during the same time period, steam whistles, and sirens. Generally speaking, maximum sound levels are 55 dBA during the day and 45 dBA at night for residential or noise

sensitive areas. Commercial areas are allowed 60 dBA during the day and 55 at night; industrial areas are allowed 65 dBA during the day and 60 dBA at night, with certain exceptions for domestic power equipment, commercial construction, etc.

What about off-road vehicles (motorcycles, dirt bikes, ATVs, etc.)?

Marion County Code Chapter 10.25 covers off-road vehicles and states that: (1) “No person shall operate or allow anyone else to operate an off-road vehicle on any non-road area within the urban growth boundary of any city. (2) No person shall operate or allow anyone else to operate an off-road vehicle on any non-road area between the hours of 9:00 p.m. and 8:00 a.m. (3) No person shall operate or allow anyone else to operate an off-road vehicle on any non-road area for more than three hours between 8:00 a.m. and 9:00 p.m.” These regulations do not cover off-road vehicles used in farming or timber production.

How can I file a complaint?

Generally speaking, noise disturbances during evening or nighttime hours should be reported to the Sheriff’s Office non-emergency number at (503) 588-5032. Noise disturbances during the day requiring noise monitoring (off-road vehicles, commercial activity in a residential area, etc.) should be reported to Code Enforcement. County noise regulations require that a citizen provide proof, in the complaint, that he/she made a good faith effort to contact enforcement authorities while the disturbance was occurring. If County staff does not observe the disturbance, the complaint must be signed by two individuals who represent at least two properties within 500 yards of where the violation occurred.

See staff contact information on the front of this brochure. You can also use the complaint form from our website:

<http://publicworks.co.marion.or.us/enforcement/PDF/Complaint.pdf>

Are complainants required to identify themselves?

Yes, if the noise disturbance is not observed by either Code Enforcement or Sheriff’s Office personnel. As noted in those situations, the complaint must be signed by two individuals who represent at least two properties within 500 yards of where the violation occurred. However, complainant information is kept strictly confidential.

What is the enforcement process?

Complaints vary greatly, necessitating flexibility in how they are processed, particularly those involving significant threat to public health and safety. The following is a general guideline for complaints handled by Code Enforcement:

Step 1: Complaint received and prioritized.

Step 2: Site visit to verify violation.

Step 3: Report prepared with investigation results and action necessary to correct.

Step 4: Notice of Violation sent to property owner and other responsible persons.

Step 5: If corrections are not made a citation may be issued.

Step 6: If a citation is issued, a date for arraignment at Justice Court or hearing before a County Hearings Officer is set.

How to avoid conflicts:

A few thoughtful questions to your neighbors might help you avoid conflicts and intervention from the Sheriff’s Office or Code Enforcement: 1) Ask your neighbors if any

exterior noises (that seem “ok” to you) are disturbing them; 2) Get to know your neighbors and their schedules, i.e. day sleepers; and 3) When you stand outside with the doors and windows shut can you hear your stereo, tv, or other? A little consideration goes a long way in neighbor-to-neighbor relations.

What are other Marion County agencies involved in noise-related enforcement?

Planning Division [(503) 588-5038] handles zoning including home-based businesses; mass gatherings, gravel operations, etc. Sheriff’s Office [(503) 588-5032] handles evening or nighttime complaints. Dog Control [(503) 588-5366] can answer questions about barking dogs.

What community resources are available if I’m under enforcement or have a neighbor that needs assistance?

Neighbor-to-Neighbor: (503) 588-5253. Free, confidential and voluntary process that enables people in conflict to reach a mutually satisfying resolution with the help of a neutral third party. Mediation does not involve counseling or legal advice.

For more information, visit our web site at publicworks.co.marion.or.us/enforcement.

