

New York City Noise Code Fact Sheet

Declaration: It is hereby declared to be the public policy of the city to reduce the ambient [noise] sound level in the city, so as to preserve, protect, and promote the public health, safety and welfare, and the peace and quiet of the inhabitants of the city.

Definitions:

- *Decibels (dB)* - The unit of measurement for sound levels.
 - The Department of Environmental Protection generally uses dB(A) levels which mimic human hearing. Sometimes DEP measures low frequency noise as well.
- *Ambient noise* - The all-encompassing noise associated with a given environment, usually a combination of sounds from many sources near and far; all must be accounted for when taking sound readings of a particular source.
- *Unreasonable noise* - Any excessive or unusually loud sound that disturbs the peace, injures or endangers health or safety, or which causes injury to plant or animal life, or damage to property or business.
- *Sound Meter* - A mechanism that detects and measures sound.

Background:

- The revised New York City Noise Code was put into effect July 2007, 30 years after it was first introduced in the original form.
- All noise complaints should be reported by calling 311.

Types of Noise, as designated by the New York City Noise Code:

Construction:

- Each person, corporation, or business must have a noise mitigation plan before construction. This plan provides the project's strategies to mitigate noise to a reasonable level. A copy of this plan should be present at the construction site.
- The approved hours of construction are during weekdays between the hours of 7:00 a.m. and 6:00 p.m. Professional construction on a personal home is permitted on the weekdays between 10:00 a.m. and 4:00 p.m. provided the house is 300 feet from a house of worship.

- After-hours construction is permitted, with the appropriate permit, for:
 - Emergency work
 - Public safety
 - City construction projects
 - Construction activities with minimal noise impacts
 - Undue hardship

Garbage Truck:

- The noise from the truck cannot exceed 80 dBA when measured from 35 feet from the source.
- Operation of the truck is prohibited within 50 feet of residential properties between 11:00 p.m. through 7:00 a.m. if the sound exceeds 80 dbA when measured 35 feet from the vehicle, except during an emergency or storm.

Commercial Music:

- No commercial establishment, such as a retail store, restaurant, or bar, shall exceed 42 dBA as measured in any dwelling unit receiving the noise.

Motor Vehicles and Motorcycles:

- Vehicles under 10,000 lbs should not be audible 150 feet away while vehicles over and equal to 10,000 lbs and motorcycles should not be audible 200 feet away. (The average weight of a car is 3,500 to 4,000 lbs.)

Heating, Air Conditioning, and Ventilation Units:

- Noise for the unit shall not exceed 42 dBA in a dwelling unit with the window open measured 3 feet from the window. The cumulative sound of all units in circulation is subject to certain restrictions.

Audio Devices:

- The use of a personal audio device should not be plainly audible to a person 25 feet away either in a public right-of-way or from inside a motor vehicle.
- In rapid transit, railroad, bus, or ferry sound from an audio device should not be audible from a distance of 5 feet or more.

Animals:

- In a residential property, no unreasonable animal noise is permitted between 7:00 a.m. through 10:00 p.m. continuously for a period of 10 minutes or more. Also, no unreasonable animal noise is permitted between 10:00 p.m. through 7:00 a.m. continuously for a period of 5 minutes or more.

Food Vending:

- Food vendor vehicles can only play their sound single, or jingle, while their vehicle is in motion.

For more information contact:

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Flushing, NY 11373
educationoffice@dep.nyc.gov

Also visit DEP's website at: www.nyc.gov/dep