

A GUIDE TO NEW YORK CITY'S NOISE CODE

UNDERSTANDING THE MOST COMMON SOURCES OF
NOISE IN THE CITY



Visit us at nyc.gov/dep • Follow NYCWATER on Facebook and Twitter

NEW YORK CITY NOISE CODE

The New York City Noise Code balances the important reputation of New York as a vibrant, world-class city that never sleeps, with the needs of those who live in, work in, and visit the city. In 2007 the City updated the Noise Code for the first time in 30 years to reflect the changing landscape and advances in acoustic technology.

Simply put, the Noise Code was created to reduce:

“The making, creation or maintenance of excessive and unreasonable and prohibited noises within the city affects and is a menace to public health, comfort, convenience, safety, welfare and the prosperity of the people of the city.”

In order to enforce this objective, the New York City Department of Environmental Protection (DEP) and the New York City Police Department (NYPD) share duties based on the type of noise complaint. To report a noise complaint, call 311 and they will direct your grievance to the appropriate agency. For example, the NYPD handles “neighbor to neighbor” noise complaints.

This booklet is designed to provide an overview of the Noise Code and some of the most common sounds of the city. For more detailed information about noise in the city and the law itself, please visit: www.nyc.gov/dep and follow DEP at www.facebook.com/nycwater. In addition, for educational modules relating to noise please visit: www.nyc.gov/dep/sound-education.

SOUND MEASUREMENTS

Overview

The decibel (dB) is the universal unit of sound measurement and is measured with a meter that registers sound pressure and displays these readings on a sound level scale. Decibels are a logarithmic unit, which means that a noise measuring 30 decibels is actually two times louder than a noise registering at 20 decibels.

One challenge of measuring sound in the city is that there is a high level of ambient sound, or background noise in an area. For example, Times Square has high ambient sound levels, making it harder to distinguish the source of a sound. The same sound in a residential neighborhood may be easier to measure because there is less ambient sound.

Sounds of the City

Sound levels vary depending on one's distance from the noise source. Below are some frequently heard sounds and their approximate decibel levels at common distances from the noise source. When designated as "dB(A)," as seen below, the measurement is weighted in the "A" scale to simulate human hearing.

| | |
|---------------------------------------|-----------------|
| Whisper | 30 dB(A) |
| Normal Conversation/Laughter | 50 – 65 dB(A) |
| Vacuum Cleaner at 10 feet | 70 dB(A) |
| Washing Machine/Dishwasher | 78 dB(A) |
| Midtown Manhattan Traffic Noise | 70 – 85 dB(A) |
| Motorcycle | 88 dB(A) |
| Lawnmower | 85 – 90 dB(A) |
| Train | 100 dB(A) |
| Jackhammer/Power Saw | 110 dB(A) |
| Thunderclap | 120 dB(A) |
| Stereo/Boom Box | 110 – 120 dB(A) |
| Nearby Jet Takeoff | 130 dB(A) |

CONSTRUCTION NOISE

Overview

New York City is involved in a constant process of renovation and new construction. To limit construction noise, the Noise Code mandates that all construction be conducted in accordance with noise mitigation plans that address the specific location, type of work, and timing of a project. The Code also sets standards for noise levels created by handling containers and construction material on public streets, and ways to lessen the noise from each type of construction

equipment. For example, jackhammers must be outfitted with noise-reducing mufflers and/or have portable street barriers to reduce the sound impact on the area. The Noise Code also defines the hours when construction may occur.



Highlights

Noise Mitigation Plans

- Contractors must develop a noise mitigation plan prior to the start of work.
- Every construction site must have a noise mitigation plan on location.
- If noise complaints are received, an inspector will ensure the contractor has posted the plan and that it is being followed. This will determine whether or not the plan needs modification.
- When construction activity is planned near locations such as schools, hospitals and houses of worship, the party responsible for construction is expected to design their noise mitigation plan to be sensitive to its neighbors.

Containers and Construction Materials

- Noise that exceeds the ambient sounds level by more than 10 decibels as measured from 15 feet from the source as measured from inside any property or on a public street is prohibited.
- Sounds that occur abruptly for a short duration, called impulsive sounds, are restricted.
- A reduction of only five decibels usually makes a noticeable difference to most complainants.

Construction Hours

- Construction may occur between 7:00 am and 6:00 pm on weekdays.
- Alterations or repairs to existing one- or two-family, owner-occupied dwellings, or convents or rectories, may be performed on Saturdays and Sundays between 10:00 am and 4:00 pm if the dwelling is located more than 300 feet from a house of worship.
- Work may take place after hours and on weekends only with express authorization from the Departments of Buildings and Transportation. A noise mitigation plan must be in place before any authorization is granted.
- Emergency work necessary for public safety, or work that cannot be performed during normal work hours, may occur after hours or on weekends. For example, water main or gas line repairs may require construction activity outside the normal hours of construction.

ANIMAL NOISES

Overview

Owning a pet in New York requires increased responsibility to ensure that pets are not disruptive. The Noise Code holds pet owners accountable for their animals' noises, and owners must do their best to limit noises so that their pets do not disturb their neighbors.

Animal noises such as barking may indicate distress, danger, or an emergency situation, the Noise Code is designed to be flexible, and first complaints of excessive animal noise may lead to education. Information about reducing or better-controlling noise from an animal is mailed to the pet owner's residence. When complaints persist, further action can be taken.

Highlights

Animal noise that is unreasonable and plainly audible from within nearby residential property may call for enforcement action if the noise occurs:

- After 7:00 am and before 10:00 pm for a continuous period of 10 minutes or more
- After 10:00 pm and before 7:00 am for a continuous period of five minutes or more

FOOD VENDING VEHICLES

Overview

Ice cream trucks traveling on city streets are a summer tradition, but their repetitious jingles can create a community nuisance and disrupt nearby residents. Because enforcement can be difficult as trucks travel from neighborhood to neighborhood, DEP works with the Department of Consumer Affairs, which licenses vendors, to remind drivers of their responsibilities under the Noise Code.

Highlights

- The Noise Code prohibits the playing of jingles while any type of food vending vehicle is stationary. Vehicles may only play jingles while they are in motion.

AIR CONDITIONERS & CIRCULATION DEVICES

Overview

Poorly maintained air conditioners can generate unnecessary, disruptive noise. Commercial and industrial air conditioners can be particularly noisy due to their size and location on rooftops near residential buildings. The Noise Code restricts the decibel levels created by air conditioners and other types of circulation devices.

Highlights

Restrictions:

- A single circulating device may not produce noise levels in excess of 42 decibels, as measured three feet from the noise source at an open door or window of a nearby residence.
- To account for the cooling needs of new construction or shifting building populations, the Noise Code limits buildings with multiple devices to a cumulative noise level of 45 decibels, as measured per the above standard.

Qualified inspectors may need to take several readings before enforcement can be deemed necessary.

MUSIC FROM BARS & RESTAURANTS

Overview

New York's world-renowned entertainment industry provides billions of dollars in revenue to the city's economy. The Noise Code attempts to balance this vital economic necessity with residential quality-of-life concerns through a flexible and responsive process.

While DEP will often respond to residential complaints and schedule an inspection appointment to take meter readings, NYPD is more readily equipped to respond to complaints in a timely manner due to its existing presence in local communities. All non-emergency noise complaints should still be directed to 311.

The best way to reduce noise disturbances is to encourage businesses to change any offending operational practices. Getting an offending business to come into compliance can be a challenge because compliance may include physically changing a business's operation or modifying sound equipment.

As an incentive for commercial noise violations to achieve compliance, the Commissioner may recommend to the Environmental Control Board that no penalty be imposed for a first offense if the business certifies that it has corrected the condition and provides satisfactory and verifiable evidence of the correction. If the offending condition is not remedied, multiple violations may result in penalties or sealing of the sound equipment.

Highlights

- Commercial establishments that play music must limit the level of unreasonable or disturbing noise that escapes into the streets or is heard in nearby residences by requiring that sounds levels may not exceed:
 - 42 decibels as measured from inside nearby residences, AND
 - 7 decibels over the ambient sound level, as measured on a street or public right-of-way 15 feet or more from the source, between 10:00 pm and 7:00 am
- Sometimes residents are disturbed by pervasive bass sounds that resonate and can be felt physically by a person.
 - Bass sounds measurements are weighted in the “C” scale and may not exceed 6 dB(C) above the ambient sound if the ambient sound is greater than 62 dB(C).

REFUSE COLLECTION VEHICLES

Overview

Though the collection of refuse is critical to the health and safety of city residents, noise from this process can be disruptive to local communities. To limit such disruptions, the Noise Code sets a more enforceable standard in order to reduce unreasonable noise coming from refuse collection vehicles.

Highlights

- Maximum sound levels may not exceed 80 decibels when measured at a distance of 35 feet or more from the compacting unit of the vehicle when it is not engaged in compacting a load of refuse. AND
- Maximum sound levels may not exceed 80 decibels between the hours of 11:00 pm and 7:00 am within 50 feet of a residential property when measured at a distance of 35 feet or more from the vehicle when the compactor is engaged.

MOTOR VEHICLES & MOTORCYCLES

Overview

Each day more than one million vehicles move through New York City's streets. The Noise Code addresses noise coming from vehicles, including motorcycles, and defines excessive sound.

Highlights

- The Noise Code prohibits excessive sound from the muffler or exhaust of motor vehicles operating on a public right-of-way where the speed limit is 35 mph or less.
- Excessive sound is:
 - Plainly audible at a distance of 150 feet or more from vehicles of less than 10,000 lbs. (cars); and
 - Plainly audible at a distance of 200 feet or more from vehicles of more than 10,000 lbs., (trucks); and
 - Plainly audible at a distance of 200 feet from a motorcycle.
- The use of vehicle horns is illegal, except as a warning in situations of imminent danger.
- Residents may request an evaluation to determine if a "No Honking" street sign would help.

COMMON COURTESY

Overview

A majority of the city's noise complaints are reported as "noise from neighbor." By taking the few simple steps below, you can help create a more livable atmosphere for your community.

- Be sensitive to your neighbor's space and remember that one person's ceiling is another person's floor; try to keep noisy and disruptive activities to a minimum.
- Keep cell phone conversations to a minimum in public spaces, especially in confined areas like public transit.
- Keep equipment levels down. Televisions, stereos, musical instruments should be used at a reasonable volume, to avoid disturbing neighbors, especially at night and in the early morning.
- Use power tools at appropriate times. Do as much as possible to stifle their noise and check specific regulations for their use.

Highlights

- The Noise Code specifically restricts the volume of car stereos in the public right-of-way.
- Certain machines, such as lawn mowers and leaf blowers, may only be used between 8:00 am and 7:00 pm (or until sunset, whichever occurs later) on weekdays; and between 9:00 am and 6:00 pm on holidays and weekends.

To report a noise complaint, call 311. For more detailed information about noise in the city and the law itself, please visit: www.nyc.gov/dep and follow DEP at www.facebook.com/nycwater.

The New York City Noise Code is award-winning!

Check out some of our awards:

1. 2010 Safe-in-Sound Award
2. 2009 ACEC Award for Engineering Excellence
3. 2007 Noise Pollution Clearing House Award



**Government Information
and Services for NYC**



**Environmental
Protection**

New York City Department of Environmental Protection
Bureau of Environmental Compliance
59-17 Junction Blvd., 11th Fl., Flushing, NY 11373

