



**VILLAGE OF LAKE PLACID
2693 Main St Lake Placid, New York 12946**

**NOISE ORDINANCE PERMIT APPLICATION
Pursuant to Local Law # 6 of 2008**

The Village of Lake Placid Noise Ordinance requires that a Noise Permit be issued for the following conditions:

- A: Where a sound source is planned, installed, or intended to be installed, or modified by any person in a manner that such source will create or is likely to create unreasonable noise or otherwise fail to comply with the provisions of the Village Ordinance.
 - B: Where any person uses or plans to use sound amplifying equipment in such a way that equipment is or will be heard outside of any building or beyond property lines between 9:30 p.m. of any day and 7:00 a.m. of the next day.
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Noise Permit Applications shall be submitted at least 20 business days in advance of the event to the Village Clerk or Police Department

Applicant Information

Name _____

Address _____

Home Phone _____ Work Phone _____ Cell Phone _____

Event Information

Date of Event _____ Time of Event – start time _____ end time _____

Location of Event _____

Type or Name of Event _____

Organization Affiliation

Responsible Party or Organization: _____
(Name, address, phone)

Type of Sound at Event

Live Band _____ Stereo _____ Loudspeaker _____ DJ _____ Other _____

Name of Band or DJ _____

Description of Sound Equipment _____

Type of Music (General) _____

Reason for Noise: (including why it is desirable or necessary to have the proposed sound source)

Attendance

Private Party _____ Invitation Only _____ Open Party _____ Advertised Event _____ Other _____

Estimated Number of Attendees _____

NAMES AND ADDRESSES OF NEIGHBORS NOTIFIED:

AUTHORIZATION FOR PERMIT (From Village Noise Ordinance):

"Where the enforcement of this Ordinance would create an unnecessary hardship, the Village Board, in its discretion, is authorized to grant a permit for a specific waiver from the requirements of this Ordinance. Such waivers shall be granted only in those circumstances where the applicant demonstrates that the waiver is necessary for a valid purpose, that the proposed waiver is the minimal intrusion needed, that on balance the need for and benefits of the waiver outweigh the needs and rights of the surrounding neighbors to a peaceable and quiet environment.

The Village Board may impose any conditions deemed necessary by such Board to minimize the intrusion of sound that might occur by the exercise of the privileges granted by the permit."

THE UNDERSIGNED APPLICANT AFFIRMS THAT THE FOREGOING INFORMATION IS TRUE, COMPLETE AND CORRECT:

SIGNATURE OF APPLICANT: _____ DATE: _____

DATE APPLICATION RECEIVED BY VILLAGE CLERK: _____

DATE APPROVED BY THE LAKE PLACID VILLAGE BOARD: _____

RESOLUTION NUMBER GRANTING AUTHORIZATION FOR PERMIT: _____

MAYOR'S SIGNATURE _____

This permit only applies to the Village of Lake Placid Noise Ordinance and does not exempt anyone from the requirements of Section 240.20(2) of the Penal Law of the State of New York, "DISORDERLY CONDUCT," which provides that a person is guilty of disorderly conduct when, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof:... an individual makes unreasonable noise.

IF APPROVED, THE ORIGINAL OR A COPY OF THIS APPLICATION AND PERMIT MUST BE PROMINENTLY POSTED AT SITE OF EVENT

Local Law No. 6 of the year 2008

Legislative Intent:

The purpose of this section is to preserve the public health, safety, and welfare by prohibiting excessive and disturbing noise and to prevent noise which is prolonged or unsuitable for the time and place and which is detrimental to the peace and good order of the community. It is the goal of this section to allow all residents of the Village of Lake Placid to peacefully coexist in a manner which is mutually respectful of the interests and rights of others.

Unlawful Noise Prohibited:

It shall be unlawful for any person to make, continue, or cause to be made or continue any excessive, unnecessary, or unusually loud, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others in the Village of Lake Placid. The following acts, among others, are declared to be loud, disturbing, injurious or unnecessary and unlawful noises in violation of the section.

- (1) **Horns and Signal Devices.** The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as a danger signal or to give warning of intent to get into motion, or if in motion, only as a danger signal after or as brakes are being applied or decelerating of the vehicle has begun; the creation by means of such signal device or any unreasonable or unnecessary period of time
- (2) **Radio, Phonograph, Musical Instruments.** The playing of any radio, phonograph, television set, amplified or un-amplified musical instruments, loudspeaker, tape recorder, or other electronic sound producing devices, in such manner or with such volume between the hours of 9:30pm and 7:00am the following day so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel, hospital, or other type of residence, or of any persons in the vicinity. The operation of any such set, instrument, phonograph, machine, or device in such a manner as to be plainly audible on a property or in a dwelling unit other than in which it is located, shall be prima facie evidence of a violation of this section.
- (3) **Shouting and Whistling.** Yelling, shouting, hooting, whistling, singing, or the making of any other loud noises on the public streets, between the hours of 9:30pm and 7:00am the following day.
- (4) **Construction.** The operation of power equipment in residential zones between the hours of 9:30pm and 7:00am the following day. The erection, including excavation, demolition, alteration or repair of any building other than between 7:00am and 9:30pm, except in case of a public safety and emergency.

Exceptions:

- A. **Public Warnings.** The emission of sound for the purpose of alerting persons to the existence of an emergency
- B. **Events.** Noise from municipally sponsored celebrations or events and noise from individually sponsored events where a permit for public assembly or other relevant permission has been obtained by the Village Board
- C. **Emergency Vehicles.** Any police or fire vehicle or any ambulance, while engaged upon necessary emergency business.

D. **Highway and Utility Maintenance and Construction.** Necessary excavation in or repairs of bridges, streets, or highways, or any public utility installation by or on behalf of the Village of Lake Placid, or any public utility (Highway, Water, Sewer and Electric Dept) or any agency of the State of New York, when the public safety, welfare, and convenience necessitates the performance of the work at such time.

Penalties for Offenses

Any person found guilty of violating any of the provision of this chapter shall be guilty of a violation and, upon conviction, shall be punishable by a fine not exceeding \$ 250 or imprisonment for a period not exceeding 15 days, or both, for conviction of the first offense; for conviction of a second offense, both of which were committed within a period of three years, punishable by a fine of not less than \$ 250 nor more than \$ 500 or imprisonment for a period not to exceed 30 days, or both; and upon conviction for a third offense or subsequent offense, all of which were committed with a period of 5 years, punishable by a fine of not less than \$500 nor more than \$ 750 or imprisonment for a period not to exceed 60 days or both. Each day during which such violation occurs constitutes a separate offence