

**CITY OF BELLE MEADE
ORDINANCE 2025-8**

**AN ORDINANCE AMENDING 408(4)(D) EXEMPTIONS TO ANTI-NOISE
REGULATIONS OF TITLE 11 (MUNICIPAL OFFENSES) OF THE BELLE MEADE
MUNICIPAL CODE TO LIMIT THE HOURS FOR JACKHAMMERING ACTIVITY**

WHEREAS, the objective of noise control is to prevent any noise that annoys or disturbs the comfort, health, welfare, environment, peace, or safety of any person in the City of Belle Meade; and

WHEREAS, the Board recognizes the necessity of construction activities to occur in residential neighborhoods; and

WHEREAS, the Board desires to preserve the peace and quiet within the community and to allow for timely completion of necessary construction activities during daytime and weekday hours;

WHEREAS, the restriction of jackhammering noise to only weekday hours between 8:00 A.M. and 5:00 P.M. is in the best interests of the residents of the City of Belle Meade.

NOW THEREFORE, be it ordained by the Board of Commissioners of the City of Belle Meade, in the State of Tennessee, as follows:

SECTION 1: AMENDMENT "11-408 Anti-Noise Regulations" of the Belle Meade Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

11-408 Anti-Noise Regulations

(1) Definitions:

- (a) "Noise level" shall mean the "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of twenty microwtons per square meter. The unit of measurement shall be designated as dB(A).
- (b) "Person" shall mean a person, firm, association, co-partnership, joint venture, corporation or any entity, public or private in nature.
- (c) "Sound level meter" shall mean an instrument meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
- (d) "Turf fan" shall mean a fan designed or used to cool or reduce heat stress on natural turf, including a golf green, tennis court or other similar surface.

- (2) Noise of such character, intensity, and/or duration as to be unreasonably loud and disturbing or in disturbance of the public peace and welfare, wherever and by whomever committed, is hereby prohibited and declared to be a nuisance.
- (3) It is also specifically prohibited and hereby declared to be a nuisance for any person at any location within the City of Belle Meade to create such noise as above described, on property owned, leased, occupied, or otherwise controlled by such person. Where the resulting noise level, when measured on any other property within the city, exceeds the noise standards listed below, this in and of itself shall constitute violation of this subsection. Sound level meter evidence, however, is not required in order to show violation, which may also be established by other evidence.

NOISE STANDARDS

<u>Noise Level</u>	<u>Time Period</u>	
55dB(A)	Sunday thru Thursday	07:00 A.M. - 10:00 P.M.
55dB(A)	Friday and Saturday	07:00 A.M. - 11:00 P.M.
50dB(A)	Sunday thru Thursday	10:00 P.M. - 07:00 A.M.
50dB(A)	Friday and Saturday	11:00 P.M. - 07:00 A.M.

- (4) Exemptions: The following activities shall be exempted from the provisions of this section:
 - (a)
 - (i) Municipal vehicles: Any vehicle of the City of Belle Meade while engaged upon necessary public business.
 - (ii) Repair of streets, etc.: Excavations or repairs of bridges, streets, or highways, by or on behalf of the City of Belle Meade, the county, or the state. Such work may be performed between the hours of 7:00 P.M. and 7:00 A.M. only when the public welfare and convenience renders it impossible to perform such work during the day.
 - (b) Activities conducted on any park or playground, provided such park or playground is owned and operated by a public entity.
 - (c) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work.
 - (d) Noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities only take place between the hours of:
 - (i) On weekdays, between 7:00 A.M. and 7:00 P.M. of the weekday; and (i) On Saturdays, between 8:00 A.M. and 5:00 P.M.
 - (ii) Otherwise and on Sundays and federal holidays, noise from such activities shall be subject to the general prohibitions of these anti-noise regulations.
 - (e) Noise sources associated with the maintenance of real property, provided said activities take place between 7:00 A.M. and 7:00 P.M. on any day.

- (5) Turf fans: Turf fans located within two hundred feet (200') of any residence shall be subject to the noise standards in sub-section (2) and, in addition, may only be operated between the hours of 7:00 A.M. and 5:00 P.M. Monday through Saturday and not on Sundays.

(Ord. 71-6, § 2.31, 1987 Code, § 10-231, as amended by Ord. #93-11, § 1, Dec. 1993, Ord. #2015-1, April 2015, Ord. #2016-3, April 2016 **Ch7_6-26-19**, and Ord. #2019-4, June 2019 **Ch7_6-26-19**)

AFTER AMENDMENT

11-408 Anti-Noise Regulations

(1) Definitions:

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 - (c) "Sound level meter" shall mean an instrument meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
 - (d) "Turf fan" shall mean a fan designed or used to cool or reduce heat stress on natural turf, including a golf green, tennis court or other similar surface.
 - (e) **"Jackhammering" shall mean a machine used in construction and demolition to remove hard rock and concrete, inclusive of both smaller, handheld tools and larger, hydraulic hammers that attach to an excavator, and any other loud noise producing machinery used to break apart concrete and rock.**
- (2) Noise of such character, intensity, and/or duration as to be unreasonably loud and disturbing or in disturbance of the public peace and welfare, wherever and by whomever committed, is hereby prohibited and declared to be a nuisance.
- (3) It is also specifically prohibited and hereby declared to be a nuisance for any person at any location within the City of Belle Meade to create such noise as above described, on property owned, leased, occupied, or otherwise controlled by such person. Where the resulting noise level, when measured on any other property within the city, exceeds the noise standards listed below, this in and of itself shall constitute violation of this subsection. Sound level meter evidence, however, is not required in order to show violation, which may also be established by other evidence.

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 - (b) Activities conducted on any park or playground, provided such park or playground is owned and operated by a public entity.
 - (c) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work.
 - (d) Noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities only take place between the hours of:
 - (i) On weekdays, between 7:00 A.M. and 7:00 P.M. of the weekday; and (i) On Saturdays, between 8:00 A.M. and 5:00 P.M.
 - (ii) Otherwise and on Sundays and federal holidays, noise from such activities shall be subject to the general prohibitions of these anti-noise regulations.
 - (iv) Jackhammering only on weekdays, between 8:00 A.M. and 5:00 P.M. of the weekday, and otherwise is prohibited.**
 - (e) Noise sources associated with the maintenance of real property, provided said activities take place between 7:00 A.M. and 7:00 P.M. on any day.
- (5) Turf fans: Turf fans located within two hundred feet (200') of any residence shall be subject to the noise standards in sub-section (2) and, in addition, may only be operated between the hours of 7:00 A.M. and 5:00 P.M. Monday through Saturday and not on Sundays.

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Passed on first reading: August 20, 2025

Passed on second reading: September 17, 2025



Rusty Moore, Mayor



Rusty Terry, City Recorder