

ORDINANCE NO. O-12-2026

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,  
AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE  
SECTION 8.15 REGARDING NOISE TO MODIFY  
MAXIMUM DECIBEL LEVELS DURING HOURS OF RESTRICTION

*PREAMBLE*

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code Section 8.15 regarding Noise to Modify Maximum Decibel Levels During Hours of Restriction, as set forth in Exhibit A.

NOW THEREFORE, BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:


1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Section 8.15 regarding Noise to Modify Maximum Decibel Levels During Hours of Restriction, as set forth in Exhibit A.
2. The amendment to Eagle Mountain Municipal Code Section 8.15 regarding Noise to Modify Maximum Decibel Levels During Hours of Restriction, as described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 7<sup>th</sup> day of April, 2026.

EAGLE MOUNTAIN CITY, UTAH

  
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Jared Gray, Mayor

ATTEST:

  
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Lacie A. Messerly  
City Recorder




# CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 7<sup>th</sup> day of April, 2026.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
<input checked="" type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark
<input checked="" type="checkbox"/> Zachory Huish	<input type="checkbox"/> Zachory Huish	<input type="checkbox"/> Zachory Huish	<input type="checkbox"/> Zachory Huish
<input checked="" type="checkbox"/> Craig Whiting	<input type="checkbox"/> Craig Whiting	<input type="checkbox"/> Craig Whiting	<input type="checkbox"/> Craig Whiting
<input checked="" type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood
<input type="checkbox"/> Brett Wright	<input checked="" type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright



  
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Lacie A. Messerly  
City Recorder

Posted on 4/13/2026 by SA

# Exhibit A

## Chapter 8.15 NOISE

### Sections:

- 8.15.010 Definition of terms.
- 8.15.020 Purpose.
- 8.15.030 Jurisdiction.
- 8.15.040 Scope.
- 8.15.050 Emergency orders.
- 8.15.060 Prohibition of unlawful noise.
- 8.15.070 Noise levels.
- 8.15.080 Specific noise prohibitions.
- 8.15.090 Exemptions.
- 8.15.100 Penalty.

### **8.15.010 Definition of terms.**

For the purposes of these regulations, unless otherwise defined in other sections of these regulations, the following terms, phrases and words shall have the meaning herein given:

“Continuous sound” means any sound that exists essentially without interruption for a period of 10 minutes or more.

“Cyclically varying noise” means any sound that varies in sound level so that the same level is obtained repetitively at successive, relatively uniform levels over time.

“Device” means a mechanism that is intended to produce, or that actually produces, noise when operated or handled.

“Dynamic braking device” means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purposes of braking without the use of wheel brakes, commonly referred to as “Jacob’s Brake” or “Jake Brake.”

“Emergency” means a situation or occurrence which, in the opinion of the mayor or agent of the mayor, may present an imminent threat to the health, safety or welfare of any person, place or property.

“Emergency vehicle” means a motor vehicle used in response to a public calamity or to protect persons or property from an imminent exposure to danger.

“Emergency work” means work required to restore property to a safe condition following a public calamity or to protect persons or property from an imminent exposure to danger.

“Hours of restriction” or “restricted hours” means the times identified in EMMC 8.15.070(C) during which maximum decibel levels are governed by Table 8.15.070(1), Hours of Restriction – Maximum Permissible Sound Levels (dBA).

“Impulsive noise” means a noise generating excursion of usually less than one second.

“Motor vehicle” means any vehicle that is self-propelled by mechanical power, including, but not limited to, passenger cars, trucks, truck trailers, semi-trailers, campers, motorcycles, minibikes, go-carts, snowmobiles and racing vehicles.

“Muffler” means an apparatus consisting of a series of chambers or baffle plates designed to transmit gases while reducing sound.

“Noise” means any sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings.

“Noise disturbance” means any sound that annoys or disturbs a reasonable person(s) with normal sensitivities or that injures or endangers the comfort, repose, health, hearing, peace or safety of another person(s).

“Plainly audible noise” means any noise for which the information content of that noise is unambiguously transferred to the listener, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms.

“Property boundary” means an imaginary line extending perpendicular to the ground surface, and its above-ground vertical extension, that identifies the line between the real property owned by one person or entity and that adjoining property owned by another.

“Sound” means an audible temporal and spatial oscillation in pressure, or other physical quantity with interval forces that cause compression or rarefaction of the medium, and that propagates at finite speed to distant points.

“Stationary noise source” means any device, fixed or moveable, that is located or used on property other than a public right-of-way. [Ord. O-15-2006 § 1; Ord. O-08-2001 § 1].

### **8.15.020 Purpose.**

This chapter establishes minimum standards to:

- A. Reduce the making and creation of excessive, unnecessary, or unusually loud noises within the limits of the city; and
- B. Prevent excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, and that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of the city; and

C. Secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of the city. [Ord. O-15-2006 § 2; Ord. O-08-2001 § 2].

#### **8.15.030 Jurisdiction.**

All noise control enforcement under this chapter shall be conducted by the mayor, or the person designated by the mayor as an agent of the city to investigate and enforce this chapter. [Ord. O-15-2006 § 3; Ord. O-08-2001 § 3].

#### **8.15.040 Scope.**

It is a Class B misdemeanor punishable by a fine of up to \$1,000 or incarceration for a term not to exceed six months, or both, for any person to violate this chapter. [Ord. O-15-2006 § 4; Ord. O-08-2001 § 4].

#### **8.15.050 Emergency orders.**

Whenever the mayor or the agent of the city designated by the mayor finds that an emergency exists, one or all of the following actions may be required to be taken:

A. Order of Emergency Suspension. In time of a public calamity or disaster, emergency suspension of this chapter may be suspended for the period of time designated by the mayor.

B. Approval of Application for Exemption for Emergency Reasons. An individual may apply for emergency exemption to this chapter based on good and reasonable cause due to emergency circumstances, as defined in this chapter. [Ord. O-15-2006 § 5; Ord. O-08-2001 § 5].

#### **8.15.060 Prohibition of unlawful noise.**

It is unlawful for any person to produce, continue, or cause to be produced or continued any noise disturbance (as defined in this chapter) within the limits of the city. [Ord. O-15-2006 § 6; Ord. O-08-2001 § 6].

#### **8.15.070 Noise levels.**

A. General Noise Disturbances. The making and/or creating of a noise disturbance within the city is unlawful. To qualify as a noise disturbance, a sound must meet the definition outlined in EMMC 8.15.010 as measured from the locations outlined in this Subsection. If the source of the sound is on the public right-of-way or upon public property, the measurement shall occur at a distance of 50 feet from the source of the sound. If the source of the sound is on private property, the measurement shall occur at the property line.

B. Per se Noise Disturbances. Notwithstanding anything to the contrary in this Chapter, it shall be unlawful and constitute a per se noise disturbance to make and/or create a sound that exceeds the maximum allowable decibel level as outlined in this Subsection.

1. Measurement of Sound. Sound of a suspected per se noise disturbance shall be measured at a distance of at least 25 feet from the source of the device upon public property or within the public right-of-way, or 25 feet from the property line if upon private property, and shall be measured on a decibel or sound level meter of standard design and quality on the “A” weighing scale.

2. Maximum Permissible Sound Level. A per se noise disturbance during restricted hours occurs when the sound level exceeds the maximum permissible sound level listed for the zoning classification, as established in Table 8.15.070(1). A measurement of 85 decibels or above shall be considered to be a noise disturbance at any time.

Table 8.15.070(1) Hours of Restriction – Maximum Permissible Sound Levels (dBA)

Zone <sup>1</sup>	Abbr	dBA	Zone	Abbr	dBA
Rural Agricultural 1	RA1	65	Commercial Neighborhood	CN	65
Rural Agricultural 2	RA2	65	Commercial Community	CC	65
Rural Density 1	RD1	65	Commercial Regional	CR	65
Rural Density 2	RD2	65	Medical/Educational Campus	MEC	65
Foothill Residential	FR	65	Office Professional	OP	65
Residential 1	R1	65	Commercial Storage	CS	65
Residential 2	R2	65	Improved Open Space	OS-I	65
Residential 3	R3	65	Natural Open Space	OS-N	65
Residential Cottage	RC	65	Agriculture	AG	65
Multi-Family 1	MF1	65	Industrial	I	75
Multi-Family 2	MF2	65	Light Manufacturing/Distribution	LMD	75
Public Facilities	PF	65			

<sup>1</sup>The Planning Director or designee shall have the authority to determine a maximum possible sound level equivalency for historical zones not included on the table. Any other zone not listed shall have a maximum permissible sound level of 65 dBA during the hours of restriction.

3. Neighboring Zones. If the sound is plainly audible from private property located in a zone different from the zone from which the sound originates, the sound may not exceed the maximum allowable decibel level of the neighboring zone during the hours of restriction. For purposes of applying this Subsection, the sound shall be measured at the closest location to the source of the sound within the neighboring zone.

4. Exceptions. The City Council may grant exceptions to noise restriction standards.

5. Future Zoning Changes. Compliance with the maximum permissible sound levels established in Table 8.15.070(1) shall be determined based on the zoning classifications of

adjacent properties in effect at the time of approval of the development that creates the sound source. A development that complies with the standards in effect at the time of approval shall not be required to modify or mitigate sound due solely to a subsequent zoning change on an adjacent property. If an adjacent property is subsequently rezoned to a zoning classification with a more restrictive maximum permissible sound level, the property subject to the rezoning shall be responsible for implementing any necessary mitigation to meet the applicable standards.

C. Hours of Restriction. Except as modified by subsection D of this section, the hours of noise restriction are as follows:

9:00 p.m. to 7:00 a.m.

D. Hours of Restriction – Parks. The hours of noise restriction within any park as defined in EMMC 7.05.030 are as follows:

10:00 p.m. to 6:00 a.m.

[Ord. O-52-2024 § 2 (Exh. A); Ord. O-15-2006 § 7; Ord. O-08-2001 § 7].

#### **8.15.080 Specific noise prohibitions.**

The following acts are unlawful:

A. Horns and Signaling Devices. The sounding of any horn or signaling device on any truck, automobile, motorcycle, emergency vehicle, or other motor vehicle within the city, except as a danger warning signal as provided by the Vehicle Code of the state of Utah;

B. Radios, Television Sets, Tape Players, Musical Instruments and Similar Devices. Using, operating, or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph, drum or other device for the production or reproduction of sound:

1. In violation of EMMC 8.15.070 or in a way that is plainly audible beyond the property boundary of the source; or
2. On public property, public rights-of-way, or private property at any time so as to be plainly audible 15 feet from the device;

C. Public Loudspeakers. The use or operation of a loudspeaker or sound-amplifying equipment in a fixed or moveable position or mounted upon any sound vehicle in or upon any street, alley, sidewalk, park, place or public or private property for the purposes of commercial advertising, giving instructions, directions, talks, addresses, lectures, or transmission of music to any persons or assemblages of persons in violation of EMMC 8.15.070;

D. Hawkers and Peddlers. Selling any item or service by outcry, whether artificially amplified or not, within any area of the city in such a manner as to violate EMMC 8.15.070;

E. Animals. Owning, keeping, possessing, or harboring any animal or animals that, by making frequent or habitual sound, create a noise disturbance as defined in EMMC 8.15.070. The provision of this subsection shall apply to all private and public facilities, including any animal facilities that hold or treat animals;

F. Loading Operation. Loading, unloading, opening, or otherwise handling boxes, crates, containers, garbage containers, or other objects in such a manner as to violate EMMC 8.15.070;

G. Construction Work. It is unlawful for any person to perform or cause to be performed any construction work on any construction site under his control during the restricted hours, except as otherwise authorized by this chapter. The city council may authorize extended hours for construction operations or procedures which, by their nature, require continuous operation, or modify or waive the hours of work for or on projects in generally isolated areas where the extended hours do not impact upon adjoining property occupants;

H. Domestic Power Equipment. Operating or permitting the operation of any power equipment rated five horsepower or less in residential or commercial zones, including, but not limited to, power saws, lawn mowers, garden equipment, or snow removal equipment for home or building repair or ground maintenance outdoors in such a manner as to violate EMMC 8.15.070;

I. Fireworks or Explosives. The use of explosives, fireworks, discharge of guns or other explosive devices that are audible across a property boundary, public space, or right-of-way. The provision shall not be construed to permit activities prohibited by other statutes, ordinances, or regulations governing such activity;

J. Commercial Licensed Premises.

1. Failure to Control Noise. Permitting or providing either live or recorded amplified music without first having closed all exterior doors and windows of the licensed premises to control noise. Doors may be opened to provide ingress and egress, but shall not be blocked in the open position to provide ventilation. Doors shall be equipped with automatic closing devices to keep them in the closed position except to permit ingress and egress of patrons;

2. Outdoor Speakers. Permitting or causing to exist any loudspeaker or sound amplification equipment on any outdoor deck, patio, or garden associated with the licensed premises other than speaker systems or sound amplification in conjunction with approved outdoor dining;

3. Racing Events. Permitting any motor racing event at any place in violation of EMMC 8.15.070;

K. Powered Model Mechanical Devices. Flying a model aircraft powered by internal combustion engines, whether tethered or remote controlled, or the firing or the operation of model rocket vehicles or other similar noise producing devices in such a way as to violate EMMC 8.15.070;

L. Dynamic Braking Device. Operating any motor vehicle with a dynamic braking device engaged, except for the avoidance of imminent danger;

M. Defect in Vehicle. Operating or permitting the operation or use of any truck, automobile, motorcycle, or other motor vehicle that because of disrepair or mode of operation violates EMMC 8.15.070;

N. Garbage Collection. Collecting garbage, waste, refuse or recyclable materials on regularly scheduled collection in such a manner as to violate EMMC 8.15.070;

O. Standing Motor Vehicles. Operating, causing, or permitting the operation of any motor vehicle or any auxiliary equipment attached thereto either in violation of EMMC 8.15.070, or in such a way as to cause a disturbance in a residential zone for a consecutive period of 15 minutes or longer;

P. Bells and Alarms. Sounding, operating, or permitting the sounding or operation of an electronically amplified signal from any burglar alarm, bell, chime, or clock, including, but not limited to, bells, chimes, or clocks in schools, houses of religious worship or governmental buildings that fail to meet the standards in EMMC 8.15.070 for longer than five minutes in any hour;

Q. Fixed Siren, Whistles and Horns. Sounding or causing the sounding of any whistle, horn or siren as a signal for commencing or suspending work or for any other purpose in violation of EMMC 8.15.070, except as a sound of imminent danger;

R. Recreation Vehicles and Snowmobiles. Operating a recreational vehicle or snowmobile in any way that violates EMMC 8.15.070;

S. Motor Vehicle Noise. Operating or causing to be operated any motor vehicle unless the exhaust system is free from defects that affect sound reduction; equipped with a muffler or other noise dissipative device; and not equipped with any cutout, bypass or similar device. [Ord. O-52-2024 § 2 (Exh. A); Ord. O-15-2006 § 8; Ord. O-08-2001 § 8].

#### **8.15.090 Exemptions.**

The following uses and activities shall be exempt from noise level regulations:

- A. Sound created by safety signals, warning devices and emergency pressure relief valves;
- B. Sound resulting from any authorized emergency vehicle when responding to an emergency call or in time of an emergency;
- C. Sound resulting from emergency work;
- D. Sound resulting from lawful fireworks and noisemakers used for celebration of an official holiday;
- E. Any sound resulting from activities of a temporary nature during regular or restricted hours which has been approved by the city;

F. Sound created by a backup generator during routine maintenance and testing or a power outage. [Ord. O-52-2024 § 2 (Exh. A); Ord. O-15-2006 § 9; Ord. O-08-2001 § 9].

**8.15.100 Penalty.**

Any person who is found guilty of violating this chapter is guilty of a Class B misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate violation.

The city attorney may initiate legal action, civil or criminal, requested by the mayor to abate any condition that exists in violation of this chapter. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating this chapter shall be liable for all expenses incurred by the city in removing or abating any nuisance or other noise disturbance. [Ord. O-15-2006 § 10; Ord. O-08-2001 § 10].