



Town of Goffstown, New Hampshire

NOISE PREVENTION ORDINANCE

I. TITLE:

This Ordinance shall be known and may be cited as the
Noise Prevention Ordinance of the Town of Goffstown, NH.

II. AUTHORITY:

New Hampshire **RSA 31:39,I(g) Power to Make Bylaws, Purpose and Penalties** and
RSA 41:14-b Adoption and Amendment of Town Codes and Ordinances.

III. PURPOSE:

- A. It is found and declared that the Town of Goffstown must act to prevent and control the creation and making of loud, unnecessary, unusual, or unreasonable noise which continues to increase in extent and volume;
- B. The making, creation or maintenance of such loud, unnecessary, unnatural, unusual or unreasonable noises which are prolonged, unusual or unreasonable in their time, place and manner of use, are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the Town's residents and should be strictly controlled;
- C. The provisions and prohibitions hereinafter contained and enacted are designed to promote the public policy of controlling noise which has a detrimental effect on life in the Town, and are in pursuance of, and for the purposes of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Town and its inhabitants.

IV. GENERAL PROHIBITIONS:

- A. It shall be unlawful for any person to make, continue, cause or allow to be continued, any loud, unnecessary, unusual, or unreasonable noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health peace or safety of others within the limits of the Town of Goffstown;
- B. It shall be unlawful for any person to make, cause or allow to be made or continued, any



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unnecessary, unusual or unreasonable noise in a public place, or in a private place which noise can be heard in a public place or in other private places, which noise would disturb a person of average sensibilities.

C. EXCEPTIONS:

- 1) These provisions shall not apply to persons operating vehicles, equipment or machinery while engaged in snow clearance or snow removal operations, provided such operations are conducted within seventy-two (72) hours of cessation of a snowstorm with an accumulation of at least three inches (3") of snow as recorded by the U. S. Weather Service.
- 2) These provisions shall not apply to police, fire or emergency service providers, or public works departments engaged in normal emergency activities, nor shall they apply to public utility companies actively engaged in emergency repair or restoration of service activities.

V. SPECIFIC VIOLATIONS ENUMERATED:

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but the enumeration shall not be deemed to be exclusive, namely:

A. **Horns, signaling devices, etc.** The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place in the Town, except as a danger warning;

1. the creation by means of any such signaling device of any unreasonable noise for an extended period of time;
2. the use of any signaling device except one operated by hand or electricity;
3. the use of any horn, whistle or other device operated by engine exhaust;
4. the use of any such signaling device when traffic is, for any reason, held up.



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B. Radios, phonographs, amplifier, speaker, etc.

1. The using, operating, or permitting to be played, used or operated any radio, receiving set, musical instrument, phonograph, amplifier, speaker, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or any time with louder volume than is necessary for the reasonable hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto.
2. The operation of any such set, instrument, phonograph, amplifier, speaker, machine or device by a commercial establishment between the hours of 10:00 P.M. and 7:00 A.M. in such a manner as to be plainly audible at a distance of fifty feet (50') from the lot line, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
3. The same shall be true for operation of these devices inside a residence when said machine or device is plainly audible in public or private places nearby and the noise therefore would disturb a person of average sensibilities.

- C. Loudspeakers, amplifiers for advertising.** The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure, or vehicle in such a manner that the peace and good order of the neighborhood is disturbed; or that persons, owning, using or occupying property in the neighborhood are disturbed or annoyed.



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- D. **Yelling, shouting, etc.** Yelling, shouting, whistling, or singing on the public streets, particularly between the hours of 10:00 P.M. and 7:00 A.M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, or other type of residence, or of any persons in the vicinity.
- E. **Animals, birds, etc.** The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.
1. Provided however, that there is an exemption for those raising livestock and poultry in an area zoned for agriculture, and for conservancy areas.
- F. **Schools, Courts, Churches.** The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use/session which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys.
- G. **Hawkers, peddlers.** The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.
- H. **Drums.** The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.
- I. **Metal rails, pipes, pillars and columns, transportation thereof.** The transportation of rails, pipes, pillars or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.
- J. **Pile drivers, hammers, etc.** The operation between the hours of 9:00 P.M. and 7:00 A.M. of any pile driver, drill, power shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.



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- K. **Blowers.** The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such engine is equipped with a muffler device sufficient to deaden such noise.
- L. **Engine Brakes.** It shall be unlawful at all times (24 hours a day / 7 days a week) for the driver of any motor vehicle to use, or to operate or to cause to be used or operated, at any time and on any street or road over which the town has jurisdiction, any mechanical exhaust or decompression device which results in the practice known as “engine-braking”.

Exemptions. The provisions of this section shall not apply to the application of unmuffled compression brakes where necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes, otherwise known as “engine-braking” and commonly known as “jake-braking” which is effectively muffled or if the application is necessary for the health, safety, and welfare of the community is exempt from the provisions of this section. Sounds created by emergency equipment for emergency purposes are also exempt.

Posting of signs. The Department of Public Works is hereby authorized and directed to post, at reasonable locations within the town, signs indicating the prohibition of “engine-braking”.

VI. PENALTIES:

Unless otherwise stated, any person or unnatural person within the meaning of the Criminal Code, who violates an ordinance shall be guilty of a violation. Pursuant to RSA 502-A:11-a, the District Court shall have jurisdiction of the prosecution of any violation of the Town of Goffstown Ordinances. All fines collected shall be for the use of the Town. The Town may enforce to the maximum penalty allowed by law for violation-level offenses. The



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enforcement authority may issue a summons and complaint along with a notice of fine pursuant to the procedures for pleas by mail set out in RSA 502-A:19-b. Fines shall not exceed \$1,000.00 per offense.

VII. WAIVERS:

The Select Board retains the authority to waive any or all provisions of this ordinance for emergencies or for good cause, by doing so at a duly noticed meeting.

VIII. VALIDITY:

If any section or part of a section, or paragraph of this Article is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section or paragraph of this Article.

IX. EXCLUSIONS: These requirements shall not apply where such matters are governed by State Law. There is also an express exclusion for emergency vehicles of any public entity providing emergency response and responding to an emergency at the time, and in the case of ambulance or rescue services providing emergency transport from/through the area to a medical facility.

X. EFFECTIVE DATE: This Ordinance was originally adopted by the Goffstown Select Board 05/22/1997, with an effective date of midnight on 05/22/1997. Amendments to the Noise Prevention Ordinance were adopted 03/10/2025, with an effective date of 03/11/2025.



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XI. ADOPTION PROCEDURE:

A. ORIGINAL ADOPTION:

Selectmen's Public Hearing: 04/28/1997 & 05/12/1997

Date Adopted: 05/22/1997

B. AMENDMENT TO NOISE PREVENTION ORDINANCE:

1st Public Hearing: 02/10/2025, 6:30 p.m.

Date Posted: 01/30/2025 Locations Posted: Town Hall bulletin boards & website

Publication/s: NH Union Leader, 01/31/2025, Page A7

2nd Public Hearing: 02/24/2025, 6:30 p.m.

Date Posted: 01/30/2025 Locations Posted: Town Hall bulletin boards & website

Publication/s: NH Union Leader, 02/13/2025, Page B7

DATE AMENDED BY THE SELECT BOARD: March 10, 2025

Peter Georgantas, Chairman

Kelly Boyer, Vice Chairwoman

Collis Adams, Selectman

Jim Craig, Selectman

Mark T. Lemay, Selectman

Town Clerk

Date: 3-13-2025