

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2010**

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**No. 27**

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Introduced by Council Members Vallone, Fidler and Mealy (by request of the Mayor).  
Passed Under a Message of Necessity.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to sound permits.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision g of section 10-108 of the administrative code of the city of New York, as amended by local law 13 for the year 1996, is amended to read as follows:

g. Special restrictions. The police commissioner shall not issue any permit for the use of a sound device or apparatus:

1. In any location within five hundred feet of a school, courthouse or church, during the hours of school, court or worship, respectively, or within five hundred feet of any hospital or similar institution, *provided, however, that applicants seeking permits in relation to a sound device or apparatus located in a fixed open air structure such as a band shell, amphitheater, stadium or similar permanent structure used for performances or events, shall not be subject to the special restrictions of this subparagraph 1 when such applicant certifies that the sound attributable to such sound device or apparatus shall not exceed a level of 10 dB(A) or more above the ambient sound level as measured at a distance of 15 feet from the point on the perimeter of the property upon which the*

*structure is located that is closest to the sound device or apparatus;*

2. In any location where the commissioner, upon investigation, shall determine that the conditions of vehicular or pedestrian traffic or both are such that the use of such a device or apparatus will constitute a threat to the safety of pedestrians or vehicular operators;

3. In any location where the commissioner, upon investigation, shall determine that conditions of overcrowding or of street repair or other physical conditions are such that the use of a sound device or apparatus will deprive the public of the right to the safe, comfortable, convenient and peaceful enjoyment of any public street, park or place for street, park or other public purposes, or will constitute a threat to the safety of pedestrians or vehicle operators;

4. In or on any vehicle or other device while it is in transit;

5. Between the hours of ten p. m. and nine a. m.; or

6. Between the hours of eight p.m. or sunset, whichever is later, and nine a.m. on weekdays and between the hours of eight p.m. or sunset, whichever is later, and ten a.m. on weekends and public holidays, in any location within fifty feet of any building that is lawfully occupied for residential use. The distance of fifty feet shall be measured in a straight line from the point on the exterior wall of such building nearest to any point in the location for which the permit is sought.

§2. This local law shall take effect immediately and shall expire 90 days after enactment.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York,  
passed by the Council on .....June 29, 2010..... and approved by the Mayor  
on .....July 13, 2010.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 27 of 2010, Council Int. No. 296) contains the correct text and was passed by the New York City Council on June 29, 2010, approved by the Mayor on July 13, 2010 and returned to the City Clerk on July 13, 2010.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel