



Legislation Text

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Int. No. 94

By Council Members Schulman, Powers and Holden

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the issuance of permits for the use of sound apparatuses to produce low bass sounds

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, paragraphs 4 and 5 of such subdivision as amended by local law number 13 for the year 1996 and paragraph 6 of such subdivision as added by such local law, 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] 500 feet of a school, courthouse or church, during the hours of school, court or worship, respectively, or within [five hundred] 500 feet of any hospital or similar institution;

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] 10:00 p. m. and [nine] 9:00 a. m.; [or]

6. Between the hours of [eight] 8:00 p.m. or sunset, whichever is later, and [nine] 9:00 a.m. on weekdays and between the hours of [eight] 8:00 p.m. or sunset, whichever is later, and [ten] 10:00 a.m. on weekends and public holidays, in any location within [fifty] 50 feet of any building that is lawfully occupied for residential use. The distance of [fifty] 50 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; or

7. To produce sounds measured at a bass level of 40 hertz or below for a duration of 10 seconds or more, as measured at any point within a receiving property as defined in section 24-203 or as measured at a distance of 15 feet or more from the perimeter of a receiving property as defined in such section.

§ 2. This local law takes effect immediately and does not apply to any permit issued by the police commissioner pursuant to subdivision f of section 10-108 of the administrative code of the city of New York prior to the effective date of this local law.

EH

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