

**AN ORDINANCE TO AMEND  
THE NOISE CONTROL ORDINANCE**

The existing Noise Control Ordinance codified in Title XIII, Chapter 132 of the “Code of Ordinances of the County of Surry, North Carolina” is amended by making the following changes to §132.02 EXCEPTIONS:

**WHEREAS**, it is the intent of the Surry County Board of Commissioners to prohibit noise of such character, intensity and duration so as to be detrimental to the health, safety or welfare of a reasonable person of ordinary sensibilities by its Noise Control Ordinance, and

**WHEREAS**, certain types of noise have been exempt from the provisions of the Noise Control Ordinance as listed in §132.02 EXCEPTIONS, and

**WHEREAS**, a question has arisen as to whether noise coming from certain types of farming practices is included on this list of exceptions, and

**WHEREAS**, with the uncertainties associated with the weather and the seasons of the year, farmers are faced with having to work late at night for their livelihood and not by choice, and

**WHEREAS**, generators may run at any time of the day or night on a farm that loses power, and

**WHEREAS**, irrigation equipment and machinery may be required to run at any time of the day or night on a farm, and

**WHEREAS**, in order to specifically exempt noise coming from engines and machinery used for normal farming practices, including engines that generate power, pump water or run tillage equipment from the provisions of the Noise Control Ordinance,

The Surry County Board of Commissioners do enact and ordain the following changes to §132.02 EXCEPTIONS:

(G) Lawn mowers and landscape maintenance equipment used between the hours of daybreak and 9:00 p.m. when operated with all manufacturer’s standard mufflers and noise reducing equipment in use and in proper operating condition;

(H) Noise resulting from the provision of government services; and

(I) Noise resulting from bona fide farming operations, specifically including, but not limited to, the operation of irrigation equipment or machinery as well as all forms of engines that could be used for normal farming practices including engines that generate power, pump water or run tillage equipment. Bona fide farming operations shall be defined as those commercial activities listed in N. C. Gen. Stat. §106-581.1.

This Amendment to the Surry County Noise Ordinance shall take effect and be enforced on the day of its adoption.

ADOPTED BY THE SURRY COUNTY COMMISSIONERS, this the 5<sup>th</sup> day of September, 1995.

AMENDED this the 4th day of September, 2018.

SURRY COUNTY BOARD OF COMMISSIONERS

ATTEST:

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Eddie Harris, Chairman

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Tammy Johnson, Clerk to the Board