

# Burlington, VT

## Noise Pollution Regulations

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Property owners of rental housing are required by ordinance to furnish a copy of the City noise control ordinance to tenants at the beginning of the rental term. Here are highlights of that regulation (this text is a summary; actual ordinance language applies):

1. **The City noise ordinance applies 24 hours a day.** There are also special "quiet hours" for the community from 10:00 pm to 7:00 am.
2. **Unreasonable noise is prohibited.** Noise is unreasonable when it is unreasonably loud given the time, place, and nature of the noise. Noise that is plainly audible between apartments or houses between the hours of 10:00 pm and 7:00 am is considered unreasonable. Sound systems, TVs, and radios cannot be played in an unreasonably loud manner.
3. **Noise from parties and social gatherings have special regulations.** Such gatherings are defined as situations where one or more participants are not residents. In the event of a noise disturbance, all of the residents at a premise are considered liable in addition to any other person engaged in making noise. Residents who may not have been involved in a disturbance may seek special consideration and should consult with the issuing officer and may also seek special consideration from the court in a judicial proceeding.
4. **Machinery, power equipment, and construction noise are prohibited from between 9:00 pm and 7:00 am.**
5. **Certain exemptions apply:** Approved emergency repair or construction work; authorized safety and emergency devices; approved utility and public facility work; snow removal equipment; and approved events by the municipality or by educational institutions.
6. **Penalties for noise violations except parties:** First violation- minimum \$200 for uncontested ticket. Second violation within 24 months- minimum \$300 for uncontested ticket. Note: Issuing officers may choose to reduce or waive the fines for first or second violations upon completion by the offender of a restorative justice program. In the event of a hearing for a first or second violation, a judge may impose up to a \$500 penalty. Third and subsequent offenses are criminal proceedings and carry a \$500 fine.
7. **Penalties for noise from parties and social gatherings:** First violation- each resident and other offender receives minimum \$300 plus 3 hours in a restorative justice program for an uncontested ticket. Second violation within 24 months- each resident and other offender receives minimum \$400 plus 3 hours in a restorative justice program for an uncontested ticket. In the event of a hearing a judge may apply: (1) for first violations at least a \$200 fine and a required 15 hours of restorative and community service work; and (2) for second violations at least a \$300 fine and a required 18 hours of restorative and community service work. Third and subsequent offenses are criminal proceedings and carry a \$500 fine.

The noise ordinance is enforced by the Burlington Police Department. Please phone the BPD at (802)658-2704 if you have questions or need assistance.