

Jefferson County Code

6.07.120 Nuisance noise

No person may allow an animal to unreasonably disturb any person(s) by habitual barking, howling, yelping, whining, baying, squealing, crowing, crying, or making any other noises which by the frequency or volume unreasonably disturbs or interferes with the peace of any person(s).

(1) The animal noise is per se deemed to have unreasonably disturbed or interfered with the peace of any person if:

(a) The noise from an animal(s) occurs between the hours of 10:00 p.m. and 7:00 a.m., the noise is continuous for a period of 10 or more minutes or constitutes intermittent noise (as defined in this chapter) within any period of 30 or more minutes, and may be clearly heard by a person of normal hearing 100 feet or more from the perceived property line where the source animal(s) is/are located; or

(b) The noise from an animal(s) occurs between the hours of 7:00 a.m. to 10:00 p.m., the noise is continuous for a period of 20 or more minutes or constitutes three or more separate incidents of intermittent noise (as defined in this chapter) within any two-hour period, and may be clearly heard by a person of normal hearing 150 feet or more from the perceived property line where the source animal(s) is/are located.

(2) A violation of this section may still occur if the noise is heard at distances less than those stated above, given the proximity of the houses or structures to one another, or location of the source animal to the location of the complaint but only upon written explanation by the animal control officer of the circumstances that caused the animal control officer to conclude this section has been violated.

(3) A violation of this section is a Class I civil infraction unless, in the discretion of the responding animal control officer, an oral warning would suffice.

(4) Exceptions.

(a) It shall be an affirmative defense to this section if the animal was intentionally provoked to make such noise, by a person other than a person at the residence where the animal resides.

(b) Lawfully operated animal shelters, animal welfare facilities, pet shops, or veterinary clinics shall be exempt from this section, and commercial kennels which have received a land use permit pursuant to JCC [18.20.060](#), or which were established before January 16, 2001, as legal nonconforming uses, shall also be exempt from this section.

(c) Noise from a livestock guard dog on property subject to JCC [18.15.095](#)(3), when such noise is produced to actively herd livestock or protect it from an active threat, shall be exempt from this section. Noise from a livestock guard dog that is produced for other purposes other than to actively herd or protect livestock from an active threat is not exempt. The burden shall be on the owner of the noise-making dog to provide evidence to the animal control officer or the court that this exemption should be deemed applicable.

(5) Any such animal violating this section shall be deemed a nuisance and may be seized and impounded if the disturbance reoccurs after the owner or custodian of such animal has received two warnings within six months from animal control. [Ord. 10-15 § 2 (Att. A)]