

ARTICLE XVI. RENTAL DWELLINGS

Sec. 14-516. Applicability of article provisions.

The provisions of this article shall apply to all rental dwellings/units within the town except those such as hotels, motels and roominghouses which are licensed pursuant to other ordinances.

(Code 1986, § 12-341)

Sec. 14-517. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Registrar means the building inspector of the town.

Rental dwelling means any enclosed space which is wholly or partly used or intended to be used for occupants who are paying rent therefor.

Rental unit means any room or group of rooms located within a rental dwelling and forming a single habitable unit for living and sleeping by occupants who are paying rent therefor.

(Code 1986, § 12-342)

Cross reference—Definitions generally, § 1-2.

Sec. 14-518. Registration.

(a) *Required.* No rental dwelling/unit shall be let, leased or otherwise permitted to be occupied, in whole or in part, by a tenant for residential and/or dwelling purposes unless and until the record owner has registered such property with the building inspector.

(b) *Form.* The rental registration form shall indicate the tax assessor's plat and lot number, address of the rental dwelling/unit, the number of rental dwelling units therein, the name and permanent mailing address of the record owner, and the usual period of occupancy by tenants (summer, September to June, or other).

(c) *Filing date; term.* On or before December 31 of each year, the record owner of the rental dwelling/unit shall file the completed rental registration form with the registrar, which registration shall be valid for a one-year period from January 1 to December 31 of the following year. If the property is registered during the calendar year, the registration shall be valid until December 31 of that same year.

(Code 1986, §§ 12-343—12-345)

Sec. 14-519. Posting of notice by owner.

The record owner shall post in plain view, in a conspicuous place within the rental dwelling/unit, a notice containing the ordinances of the town with regard to the dog leash law,

trash disposal, winter automobile parking ban, and dwelling occupancy limits and any other pertinent ordinance or law which the council may deem appropriate from time to time. Such notices shall be available at the office of the registrar.

(Code 1986, § 12-346)

Sec. 14-520. Penalty for violation of article.

Record owners who violate the provisions of this article shall be subject to a fine of not more than \$500.00 or imprisonment not exceeding 30 days, or both.

(Code 1986, § 12-347)

Sec. 22-46. Noise disturbance.

No person shall make, continue or cause to be made or continued, except as permitted, any noise disturbance as defined in this article, or any noise in excess of the limits for such noise established in this article.

(Code 1986, § 9-15)

Sec. 22-47. Maximum permissible sound levels by receiving land use; immediate threat.

(a) *Maximum permissible sound levels.* With the exception of sound levels elsewhere specifically authorized or allowed in this article, the following are the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use:

Table 1. SOUND LEVELS BY RECEIVING LAND USE

<i>Zoning Category of Receiving Land Use</i>	<i>Time</i>	<i>Sound Level Limit, dBA</i>
Residential, and open space	8:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 8:00 a.m.	50
BA, BB, BC	At all times	65
IA, IB	At all times	70
Noise sensitive area	At all times	60

(e) *Yelling, shouting, hooting, whistling or singing.* No person shall yell, shout, hoot, whistle or sing on the public streets or from private property at any time or place so as to cause a noise disturbance across a residential real property boundary or outdoors within a noise sensitive area or so as to annoy or disturb the quiet, comfort or repose of any persons in any dwelling, hotel or other type of residence.

(Code 1986, § 9-18)

Sec. 22-50. Musical instruments and similar devices.

No person shall operate, play or permit the operation or playing of any drum, musical instrument or similar device which produces sound in such a manner so as to create a noise disturbance across a residential real property boundary or outdoors within a noise sensitive area.

(Code 1986, § 9-19)

Sec. 22-51. Regulation of sound equipment and sound amplifying equipment.

(a) *Generally.* Except for activities open to the public and for which a permit has been issued by the town under this article, no person shall operate, play or permit the operation or playing of any radio, television, phonograph, stereo, tape deck/recorder or other similar device so:

- (1) As to create a noise disturbance across a residential real property boundary or outdoors within a noise sensitive area;
- (2) As to create a noise disturbance 50 feet from the device, when operated in or on a motor vehicle on a public right-of-way or public space, or in a boat on public waters;
- (3) As to create a noise disturbance to any person other than the operator of the device when operated by any passenger or a common carrier.

(b) *Sound equipment; permit required.* No person shall use, operate or cause to be used or operated any radio, record player, tape deck or other device for producing, or amplifying sounds, referred to in this section as "sound equipment," upon any premises, public or private, if the sound therefrom be plainly audible from any public street or public place within the town, unless the person:

- (1) First obtains a permit in accordance with this article;
- (2) Complies with the conditions imposed by the permit, including the maximum permitted sound level shown therein; and
- (3) Complies with all other applicable provisions of this article;
- (4) Furthermore, sound equipment shall not include:
 - a. Equipment used for public health and safety purposes;
 - b. Church or clock carillons, bells or chimes;
 - c. Parades or processions for which a parade permit has been issued, provided that the conditions of the permit are complied with;
 - d. Automobile radios, tape decks or players, or other standard automobile equipment used and intended for the use and enjoyment of occupants, provided that the sound emitting therefrom is not audible for more than 50 feet from this vehicle;
 - e. Recorded music used in a nonresidential district in conjunction with a civil or religious celebration;
 - f. Unamplified live music provided, sponsored or funded, in whole or in part, by a governmental entity;
 - g. Mobile radio or telephone signaling devices.

(d) *Disposal facilities.* Every owner of a dwelling shall be responsible for the supply on the premises of such rubbish and garbage disposal facilities and storage containers for each dwelling thereon as are required by subsections 34-186(h) and 34-186(i) and shall be responsible that such facilities are maintained in good repair and sanitary condition. The owner shall provide for the proper collection and removal of their contents to an authorized disposal area on a weekly basis.

(e) *Manner of waste disposal.* Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by placing it in the facilities provided as required by subsections 34-186(h), 34-186(i) and subsection (d) of this section.

(h) *Rubbish storage and disposal facilities.* Every dwelling shall have adequate rubbish storage and disposal facilities or containers and must comply with the following regulations:

- (1) All rubbish storage and disposal facilities and all containers must have lids or covers.
- (2) No rubbish storage and disposal facility and no container shall be stored in any front yard or minimum side yard.

(i) *Garbage storage and disposal facilities.* Every dwelling shall have adequate garbage storage and disposal facilities or containers and must comply with the following regulations:

- (1) All garbage storage and disposal facilities and all containers must have lids or covers.
- (2) No garbage storage and disposal facility and no container shall be stored in any front yard or minimum side yard.

Sec. 6-21. Running at large.

(a) *Prohibited generally.* Every owner or keeper of a dog of any age whatsoever in the town shall not allow such dog to be at large outside the enclosure of such owner or keeper, but shall cause such dog when outside the enclosure of such owner or keeper to be kept on a leash.

Sec. 74-27. Manner of parking.

The right wheels of all parked vehicles, as determined by sitting in the driver's seat, shall be within 12 inches of the curb or, in the absence of curbing, within 12 inches of the edge of the paved surface. On unpaved roads, vehicles shall park so as not to interfere with free flow of traffic in both directions at the same time. This right wheel provision does not apply to public highways when the direction of traffic is restricted in one direction.
(Code 1986, § 19-22)

Sec. 74-28. Parking during winter months.

(a) There shall be no parking on either side of any public street or highway within the town from November 15 to April 1 of each year when a traveler's advisory, winter storm warning, or winter storm watch has been issued by the National Weather Service. This restriction shall remain in effect for a period of 24 hours after the lifting of any such traveler's advisory, winter storm warning, or winter storm watch by the National Weather Service.

(b) Any vehicle parked in violation of this section shall be towed away, and the owner of such vehicle shall be liable for the cost of towing, storage and other incidental expenses in connection with such towing and shall be fined in accordance with section 74-4.
(Code 1986, § 19-23)