



The Department of Land Use has authority to grant special waivers from noise level regulations defined by Section 22.02.008 of the *New Castle County Code* with enforcement handled by the appropriate police department.

General Noise Control Provisions – The following is a summary of noise control provisions in Section 22.02.008 of the *New Castle County Code*. Please refer to the official code for complete details and information.

Construction Noise – may be considered a noise disturbance:

- Between the hours of 9:00 p.m. and 7:00 a.m. the following day on weekdays;
- Between the hours of 10:00 p.m. on Friday and Saturday evening and 9:00 a.m. on Saturday and Sunday mornings; or
- Between the hours of 10:00 p.m. the day before and 9:00 a.m. the day of a legal holiday.

Explosives, firearms, and similar devices – may cause a noise disturbance when within a residential district or public right-of-way.

Refuse compacting vehicles – may cause a noise disturbance when operating or permitting to be operated any motor vehicle which can compact refuse and creates, during the compacting cycle, a disturbance defined by Code between the hours of 8:30 p.m. and 6:00 a.m. the following day in residential districts.

Power equipment – operating or permitting to be operated any power equipment in residential districts between the hours of 9:00 p.m. and 7:00 a.m. the following day, may create a noise disturbance.

Shooting activities at duly sanctioned shooting organizations – activity between the hours of 8:00 a.m. and 10:00 p.m. at the outdoor or partially enclosed shooting ranges are **exempted** from noise level regulations.

Noise disturbance – means any sound which:

- Endangers or injures the safety or health of humans or animals;
- Any sound that recklessly or willingly disturbs any neighborhood, business, or a reasonable person of normal sensibilities within the County by making loud and unseemly noises;
- Jeopardizes that value of property and erodes the integrity of the environment;
- Is in excess of the allowable noise levels established in these provisions.

REQUIRED PAPERWORK FOR A NOISE WAIVER

Any person seeking a special waiver pursuant to Section 22.02.008 shall file a written Noise Ordinance Waiver Application with the Department of Land Use. Please allow ten (10) business days for the waiver to be processed. Please direct any questions to: Permits@newcastlede.gov

All New Castle County forms are available via the County website or Land Use customer service.

Noise Ordinance Waiver Application

The waiver application shall contain information which demonstrates that bringing the source of sound or activity for which the waiver is sought into compliance with this Code would constitute an unreasonable hardship on the applicant of the community of for another purpose.

Map / Sketch of Location

A sketch of the activity location shall be provided. Please include complete layout of the site, including the placement of sound and/or activity sources.



DEPARTMENT OF LAND USE
87 READS WAY, NEW CASTLE, DE 19720
PHONE: 302-395-5400 • WWW.NCCDELU.ORG

REV. 12/13/2016

The Department of Land Use has authority to grant special waivers from noise level regulations defined by Section 22.02.008 of the *New Castle County Code* with enforcement handled by the appropriate police department. The written application shall contain information which demonstrates that bringing the source of sound or activity for which the waiver is sought into compliance with this Code would constitute an unreasonable hardship on the applicant or the community or for another purpose.

Refer to the Noise Ordinance Wavier Requirements sheet and Noise Control Provisions in Section 22.02.008 of the *New Castle County Code* for more information. A sketch of the location to include the layout of the site and the placement of sound sources shall accompany this application. Please allow ten (10) business days for the waiver to be processed.

Applicant Name _____

Email _____

Address _____

Daytime Phone Number _____

Noise Waiver Information

Tax Parcel # _____

Address / Location _____

Type / Description of activity _____

Contact Name during event _____

Contact Phone Number during event _____

Date(s) and Hours of activity _____

Reason a denial of a waiver would create an unreasonable hardship _____

Construction activity must also provide the following:

Construction Company Name _____

Job Superintendent/Contact Name and Phone Number _____

Associated Building Permit Number _____ NCC Contractor License Number _____

The completed application and sketch may be dropped off or mailed to the address above to the attention of the Permits Section of the Department of Land Use. You may also email this form and sketch to: Permits@newcastlede.gov