

*Doña Ana County, NM  
Friday, July 17, 2020*

## Chapter 261. Noise

### Article II. Noise Control

#### § 261-11. Prohibited noise.

- A. Regardless of any other section of this article, it shall be unlawful for any person during nighttime to make, continue or cause to be made any unreasonably loud or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of another person or persons.
- B. Upon a complaint of a violation of Subsection **A** of this section, it shall be prima facie evidence of a violation of this article if any unreasonably loud or unusual noise is audible during nighttime to any person positioned at the boundary of the property immediately adjacent to the property from which the sound emanates or causes a person so positioned to be aware of the vibration accompanying the sound.

C. General noise limits.

- (1) Except as otherwise provided in this article, no person during nighttime shall make or continue, cause to be made or continued, or allow to be made or continued, any sound exceeding the following limits as measured on any other property receiving the sound:

| <b>Actual Land Use or Category of Receiving Property</b> | <b>Maximum dB</b> |
|--|-------------------|
| Residential/noise sensitive                              | 50                |
| Office/commercial  | 60                |
| Industrial   | 70                |

- (2) Sound projecting from property of one land use category onto property of another land use category having a lower sound-level limit shall not exceed the limits for the property of the land use category onto which it is projected.

- D. Noises originating from sources of any kind engaged in agricultural, ranching or military operations are exempt from the provisions of this article.