City of Concord, New Hampshire

PURCHASING DIVISION

COMBINED OPERATIONS & MAINTENANCE FACILITY

311 NORTH STATE STREET

CONCORD, NH 03301

(603) 230-3664 FAX: (603) 230-3656

www.concordnh.gov/Purchasing

April 25, 2011

ADDENDUM NUMBER ONE
B36-11
DOUGLAS N. EVERETT ARENA FLOOR REPLACEMENT PROJECT

TO ALL FIRMS OF RECORD: This addendum forms a part of and modifies the bidding and contract documents and technical specifications for the project named above. The following changes, additions and clarifications are made to the original Contract Documents:

1. **Pre-Bid Meeting Sign-in Sheet.** A copy of the sign-in sheet from the mandatory pre-bid meeting held on Thursday, April 21, 2011 at 10:00 AM, is provided for your review and records.

2. **Letter and Test Report from RPF Associates, Inc.** A copy of the letter from RPF Associates, Inc. dated April 8, 2011 and the Summary of Bulk Material Sampling and Results are provided for your review and records.

3. **Technical Specification Section 13700, Page 1, Part 1.2, C., 5.** Add the following sentence: "At the contractor's option, the saw cutting of the existing slab at the radius corners will be allowed to be saw cut at a 90 degree angle (i.e. square) in lieu of following the proposed radius."

4. **Technical Specification Section 01010, Page 2, Part 1.2, D.** Add the following subsection: "3. The general contractor will assign an experienced and competent supervisor who will be on-site full time for the duration of the project and be available for weekly project meetings. The supervisor is required to be on-site during all construction activities. The City reserves the right to request removal of the supervisor for cause. If removal is requested by the City, the contractor will immediately replace the supervisor with an experienced and competent supervisor as identified herein."

5. **Arena Overhead Door.** The contractor will be allowed to utilize the existing 12' x 12' overhead door during construction.

6. **Work Schedule.** Contractors can work seven (7) days a week if they want. Work hours must be in conformance with the City's noise ordinance (attached) when they are outside the building.

7. **Disposal of Concrete.** The point of contact at the City's Fort Eddy Road Reprocessing Center to determine if concrete can be disposed of at the center, the condition it must be in to be acceptable for disposal and the cost for disposal is Dan Gelinas. Mr. Gelinas is an independent contractor hired to manage this facility for the City and he can be reached by calling the Reprocessing Center at (603) 753-4379, Monday-Friday, 7:00 am – 3:30 pm.

8. **Disposal of Brine Flushings or Brine Sludge.** The point of contact concerning the disposal of either the brine flushings or the brine sludge at the City's Hall Street Wastewater Treatment Facility is Tom Neforas. Mr. Neforas is the Laboratory Manager for the City's wastewater treatment facilities and he can be reached by calling (603) 230-3857, Monday-Friday, 8:00 am – 3:30 pm.

9. **Arena Schedule.** The criticality of the project substantial completion date of August 5, 2011 is due to the following arena schedule:

August 20, 2011:	Flea Market
August 21, 2011:	Train Show
August 27, 2011:	Gem Show
August 28, 2011:	Gem Show
September 3, 2011:	Gun Show
September 4, 2011:	Gun Show
October 1, 2011:	Open for ice operations

10. **Project Drawings.** The electronic version of the project drawings will be provided to all plan holders.

11. **Communication Protocol.** All questions concerning this project must be submitted in writing (email is preferred) to the City's Purchasing Manager, Doug Ross (dross@concordnh.gov), no later than 7 calendar days prior to the bid due date/time.

PLEASE BE ADVISED THAT THE CONTRACTOR MUST ACKNOWLEDGE RECEIPT OF ADDENDUM ONE ON THE SIGNATURE PAGE OF THE BID FORM.

CITY OF CONCORD, NEW HAMPSHIRE

DOUGLAS B. ROSS
PURCHASING MANAGER

CITY OF CONCORD
PURCHASING DIVISION
MANDATORY PRE-BID MEETING SIGN-IN SHEET
DOUGLAS N. EVERETT ARENA FLOOR REPLACEMENT
BID NO. B36-11 DATE: 4/21/11 TIME: 10:00 AM

ATTENDEES

PRINTED NAME	COMPANY NAME (Representing)	TELEPHONE #	FAX # (Including area code)	E-MAIL
1. Douglas B. Ross	City of Concord - Purchasing	(603)230-3664	(603)230-3656	dross@concordnh.gov
Mailing Address:	311 North State Street, Concord, NH 03301			
2. Kevin Kraft	H.L. Turner	603228-1122	228-1126	kkraft@hlturner.com
Mailing Address:	27 Locke Rd Concord, NH 03301			
3. Ernest Guimond	E. Guimond Const. L.L.C.	603-2248367	603-2244364	E.Guimond LLC@my Fairpoint.net
Mailing Address:	103 Knox Rd Bow N.H. 03304			
4. Jim Kindon	Davis Mechanical	(315)463-9999	(315)438-8643	Rinksby Davis@Aol.c
Mailing Address:	6689 Old Collamer Rd East Syracuse, N.Y. 13057			
5. Dean King	D.L. King + Assoc.	(603)883-5880	(603)883-5051	aking32131@aol.com
Mailing Address:	27 Tanglewood Dr. Nashua, NH 03062			
6. Giuseppe DiGiallonardo	American Refrigeration Company	978 474 4000	978 474 4001	gdigiallonardo@americanrefrigeration.net
Mailing Address:	149 River Street, Suite 3, Andover MA 01810			
7. Ken Holmes	North Branch Construction, Inc.	603-224-3233	603-225-7165	kholmes@northbranch.net
Mailing Address:	76 Old Turnpike Rd., Concord, NH 03301			

ATTENDEES

PRINTED NAME	COMPANY NAME (Representing)	TELEPHONE # (Including area code)	FAX # (Including area code)	E-MAIL
8. Mike Rodgers	Envirovantage	1-800-640-5373	603-679-9685	MikeRo@Envirovantage.com
Mailing Address: 629 Calef Highway Epping, NH. 03042				
9. Greg Myers	Recco	781-396-8780	781-938-4171	gmyers@reccousa.com
Mailing Address:				
10. ORLANDO Negrin	CIMCO	717-881-2890	203-265-7767	onegrin@toromont.com
Mailing Address: 121 North Plains Industrial Rd, Unit L, Wallingford, CT 06492				
11. Eric Ggan	North Ridge Contracting	603-231-8719	603-463-7188	northridgenc@no
Mailing Address:				
12. Stephen Amari		603-882-4118	603-882-4214	Stephen@AmariCompany.com
Mailing Address: 11 Caldwell Dr Amherst NH 03031				
13. LIZETT Frias	S+F Concrete Contractors	978-562-3495		LIZETT@S-F-Concrete.c
Mailing Address: 1616 CENTRAL ST. HUDSON, MA 01749				
14. Alexander Meade	Preferred Mechanical Services			ajm@preferredmechanicalservices.com
Mailing Address: 223 Center St Pembroke Mass. 02359				
15. GERRY BLANCHETTE	H.L. TURNER GROUP INC.	603/228-1122	F 228-1126	gblanchette@hltumer.com
Mailing Address: 27 LOCKE ROAD CONCORD, NH 03301				
16.				
Mailing Address:				

RPF Associates, Inc.
ENVIRONMENTAL TESTING & CONSULTING

Environmental Site Assessments
Asbestos & Hazardous Materials
Industrial Hygiene Consulting
Air Quality Testing & Analysis
Mold and Moisture Surveys
Infrared Thermal Imaging

April 8, 2011

Mr. Gerard Blanchette
H.L. Turner Group, Inc.
27 Locke Road
Concord, NH 03301-1126

Re: Everett Arena, Concord, NH
RPF File No. 114240

Dear Mr. Blanchette,

At the request of your office, RPF Associates, Inc. visited the Everett Arena to view the area of soils within trenches along the side of the floor slab refrigeration system. It is RPFs understanding that the concern regarding this area was possible contamination of gravel and solids within the trench from the brine solution used in the refrigeration system. No other information on spills or contamination were presented to RPF

There are currently no soil remediation standards for brine contamination listed in current State of New Hampshire soil remediation standards. RPF also contacted a representative of Waste Management, Inc. (WMI) to discuss potential disposal issues with materials contaminated with a brine solution. According to Mark Thompson of WMI, brine contamination in soils or solids would not present any problems from a disposal standpoint as long as there were no significant odors associated with the material and no free liquids. If free liquids were present or objectionable odors with the material, there could be additional charges for solidification or covering the material with lyme in the landfill. But other than that, the presence of brine alone would not affect the disposal of materials.

Thank you very much for allowing RPF Associates to assist you on this very important project. Please contact us if you have any questions regarding this information or if we can be of any further assistance.

Sincerely,
RPF ASSOCIATES, INC.

Allan D. Mercier
EH&S Consultant
114240 040811 ltr

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RPF Associates, Inc.
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Environmental Site Assessments
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Air Quality Testing & Analysis
Mold and Moisture Surveys
Infrared Thermal Imaging

H. L. TURNER GROUP
Concord Arena

SUMMARY OF BULK MATERIAL SAMPLING AND RESULTS
Polarized Light Microscopy – EPA 600/R-93/116 Method

Samples Collected: April 4, 2011

Sample ID	Sample Description	Asbestos Content	Other Content
040411-HG01	Pipe Insulation, rink refrigeration piping, sub-floor trench near mechanical room	No Asbestos Detected	2% Cellulose 98% Non-fibrous
040411-HG01b	Pipe Insulation, rink refrigeration piping, sub-floor trench near mechanical room	No Asbestos Detected	2% Cellulose 98% Non-fibrous
040411-HG01c	Pipe Insulation, rink refrigeration piping, sub-floor trench near mechanical room	No Asbestos Detected	2% Cellulose 98% Non-fibrous

114240

Notes:

- Trace means less than 1%. SFP Means analysis was terminated because asbestos was detected on a previous homogenous sample during the survey work. Please reference the "HG" group number.
- Please reference the full report for discussions and additional information and limitations pertaining to these results.

ARTICLE 13-6 - NOISE

13-6-1 - Noise Prohibited.
13-6-2 - Definitions.
13-6-3 - Noises Prohibited—Decibel Provisions.
13-6-4 - Measurement of Noise.
13-6-5 - Tables
13-6-6 - Application for Special Permit.
13-6-7 - Manner of Enforcement.
13-6-8 - Disturbing Noises, Generally.
13-6-9 - Construction Noise.
13-6-10 - Abatement of Amplified Sounds.
13-6-11 - Noise Created by or Emanating From a Motor Vehicle.

13-6-1 - Noise Prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the City.

13-6-2 - Definitions.

For the purpose of this article, certain words and phrases used herein are defined as follows:

"A" Band Level. "A" band level is the total sound level of all noise as measured with a sound level meter using the "A" weighting network. The unit of measurement is the dB(A).

Acoustical Terminology. All technical definitions are in accordance with American Standard S1, 1-1960 entitled Acoustical Terminology.

Ambient Noise. Ambient noise is the all-encompassing noise associated with a given environment, being usually a composite of sounds, near and far.

"A" Use District. "A" Use Districts shall include RH, RD, RN, RS, RM, CVP, IS, and UT Zoning Districts as defined in the City of Concord's Zoning Ordinance.

Band Pressure Level. Band pressure level of sound for a specified frequency band is the sound pressure level for the sound contained within the restricted band. The reference must be specified.

Bel. Bel is a unit of level when the base of logarithm is ten (10). Use of Bel is restricted to levels of quantities proportional to power.

"B" Use District. "B" Use District shall include RO, CN, CG, CU, CBP, GWP, OCP, and OFP Zoning Districts as defined in the City of Concord's Zoning Ordinance.

"C" Use District. "C" Use District shall include the IN Zoning District as defined in the City of Concord's Zoning Ordinance.

Construction Activity. Any excavation, highway construction, land development or land clearing work, or the erection, demolition, alteration, repair, or relocation of any building or structure, which uses powered equipment such as backhoes, trucks, tractors, earth moving equipment, compressors, motorized, or power hand tools, manual tools, or equipment of a similar nature as well as two-way radios or other communication equipment.

Cycle. Cycle is the complete sequence of values of a periodic quantity that occur during a period.

Decibel. Decibel is one-tenth root of ten (10), and the quantities concerned are proportional to power.

Emergency Work. Emergency work is work made necessary to restore property to a safer condition

following a public calamity to work required to protect persons or property from an imminent exposure to danger, or to provide electricity, water or other public utilities when public health or safety are involved.

Frequency. Frequency of a function periodic in time is the reciprocal of the primitive period. The unit is the cycle per unit time and must be specified.

Microbar. Microbar is a unit of pressure commonly used in acoustics and is equal to one dyne per square centimeter.

Period. Period of a periodic quantity is the smallest increment of time for which the function repeats itself.

Periodic Quantity. Periodic quantity is an oscillating quantity, the values of which recur for equal increments of time.

Sound Analyzer. Sound analyzer is a device for measuring the band pressure level or pressure spectrum level of a sound as a function of frequency.

Sound-Level Meter. Sound-level meter is an instrument including a microphone, an amplifier, and output meter, and frequency weighting networks for the measurement of noise and sound levels in a specified manner.

Sound Pressure Level. Sound pressure level in decibels, of sound is twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of this sound to the reference pressure which reference pressure must explicitly state.

Spectrum. Spectrum is a function of time and is a description of its resolution into components, each of different frequency and usually of different amplitude and phase and is also to signify continuous range of components each of different frequency and usually of different amplitude and phase and is also used to signify continuous range of components usually wide in extent which waves have some specified characteristics such as "audio-frequency spectrum" and is also applied to functions of variables other than time.

(Ord. No. 2604, §§ II—IV. 4-11-05)

13-6-3 - Noises Prohibited—Decibel Provisions.

(a) *Use Districts.* It shall be unlawful to project a sound or noise, excluding noise emanating from cars, trucks or other vehicles from one property into another, within the boundary of a use district which exceeds either the limiting noise spectra set forth in Table I or exceeds the ambient noise level by more than three (3) decibels.

- **(1)** Sound or noise projecting from one district, into another use district with a different noise level limit, shall not exceed the limits of the district into which the noise is projected.

(b) *Motorized Vehicles.* It shall be unlawful to operate a motorized vehicle within the corporate boundaries of the City which creates a noise or sound which exceeds the noise level limits set out in Table III.

(c) *Enclosed Places of Public Entertainment.*

- **(1)** It shall be unlawful to sustain in any enclosed place of public entertainment including but not limited to a restaurant, bar, cafe, discotheque, dance hall, any amplitude equal to or in excess of ninety-five (95) dB(A), sustained for more than thirty (30) seconds.
- **(2)** Measurement of Noise. Sound noise or noise is to be measured by a sound level meter that conforms to ANSI S1.4-1971 TYPE 1 and IEC 179, from any area to which the public is invited within any enclosed place of public entertainment.

(d) *Exemptions.* The following uses and activities shall be exempt from noise level regulations:

- **(1)** Noises of safety signals, warning devices, and emergency pressure relief values;
- **(2)** Noises resulting from any authorized vehicle, when responding to an emergency call or acting in time of emergency;
- **(3)** Noises resulting from emergency works as defined in Section 13-6-2
- **(4)** Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the City in accordance with Section 13-6-6
- **(5)** The unamplified human voice;
- **(6)** Public celebrations;
- **(7)** Bells, chimes or carillons while being used for religious purposes or in conjunction with religious services, and those bells, chimes or carillons that are presently installed and in use;
- **(8)** Airports, noise directly related to aircraft, flight operations, (i.e. taxying, landing, takeoff and flight). This exemption does not apply to aircraft maintenance or other activities conducted at the airport which are not directly related to flight.

13-6-4 - Measurement of Noise.

(a) The measurement of sound or noise shall be made with a sound level meter and octave band analyzer meeting the standards prescribed by ANSI S1.4-1971, TYPE 1 and IEC 179. The instruments shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specifications. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement of diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured.

(b) The slow meter response of the sound level shall be used in order to best determine that the average amplitude has not exceeded the limiting noise spectra set forth in Table I.

(c) The measurement shall be made at the property line of the property on which such noise is generated, or perceived, as appropriate, five (5) feet above ground.

(d) In the case of an elevated or directional sound or noise source, compliance with the noise limits is to be maintained at any elevation at the boundary. The limits hereinabove referred to shall be in accordance with the Tables set forth in Section 13-6-5

13-6-5 - Tables

TABLE I

LIMITING NOISE LEVEL FOR USE DISTRICTS

Octave Band Center Frequency	Maximum Permissible Sound Pressure (Levels In Decibels Re: 0.0002 Microbars)		
	USE DISTRICTS		
	"A"	"B"	"C"
63	66	80	81
125	61	75	76
250	56	67	71
500	56	60	65
1000	46	54	59
2000	46	48	54
4000	41	42	50

If the noise is not smooth and continuous, one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels in Table I of this section.

TABLE II

TYPE OF OPERATION IN CHARACTER OF NOISE
CORRECTION IN DECIBELS

Noise source operated less than 20% of any one-hour period plus 5*
Noise source operated less than 5% of any one-hour period; plus 10*
Noise of impulsive character (hammering, etc.); minus 5
Noise source operated less than 1% of any one-hour period; plus 15*
Noise of periodic character (hum, screech, etc.); minus 5

*Apply one of these corrections only.

If the noise occurs between the hours of 10:00 p.m. and 7:00 a.m. on Monday through Saturday or at any time on Sunday or holidays, seven (7) shall be subtracted from each of the decibels levels given in Table I of this section.

TABLE III

LIMITING NOISE LEVELS FOR MOTOR VEHICLES

(a) *Trucks and Buses (over 10,000 pounds):*
87 dB(A) measured at 50 feet-maximum allowable limit;
93 dB(A) measured at 25 feet-maximum allowable limit;
Trucks and Buses (under 10,000 pounds):
80 dB(A) measured at 50 feet-maximum allowable limit;
86 dB(A) measured at 25 feet-maximum allowable limit;

(b) *Passenger Cars:*
78 dB(A) measured at 50 feet-maximum allowable limit;
84 dB(A) measured at 25 feet-maximum allowable limit;

(c) *Other Vehicles (but excluding those covered by RSA 269-B):*
87 dB(A) measured at 50 feet-maximum allowable limit;
93 dB(A) measured at 25 feet-maximum allowable limit;

(d) Snow traveling vehicle, motorbike, motorcycle, trail bike, all-terrain vehicles, including four-wheel-drive vehicles or other motorized two-wheeled or three-wheeled trail type vehicle and tract type vehicle. The limiting noise levels established for these vehicles by RSA 269-B:11 are hereby adopted, and made a part of this Ordinance.

13-6-6 - Application for Special Permit.

Application for a permit for relief from the noise level designated in this Ordinance on the basis of undue hardship may be made to the City Manager or his duly authorized representative. Any permit granted by the City Manager hereunder shall contain all conditions upon which such permit has been granted and shall specify a reasonable time that the permit shall be effective. The City Manager, or his duly authorized representative, may grant the relief as applied for if he finds:

(a) That additional time is necessary for the applicant to alter or modify his activity or operation to comply with this Ordinance.

(b) The activity, operation or noise source will be of a temporary duration and cannot be done in a manner that would comply with other subsections of this Article; and

(c) That no other reasonable alternative is available to the applicant; and

(d) The City Manager may prescribe any conditions or requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood.

13-6-7 - Manner of Enforcement.

Violations of this Ordinance shall be prosecuted in the same manner as other violations of the City's Code of Ordinances provided, however, that in the event of violations of Section 13-6-3(a) and (b) of this Chapter, a written notice of intention to prosecute will be given the alleged violator not less than five (5) calendar days prior to the issuance of a complaint. No complaint shall be issued in the event the cause of the violation is removed, the condition abated or fully corrected within such five-day period. In the event the alleged violator cannot be located in order to serve the notice of intention to prosecute, the notice as required herein shall be deemed to be given upon mailing such notice by registered or certified mail to the alleged violator at his last known address or at the place where the violation occurred, in which event the five-day period shall commence at the date of the day following the mailing of such notice.

13-6-8 - Disturbing Noises, Generally.

(a) The operation or maintenance of any device, instrument, vehicle, or machinery in violation of any provisions of this Article, and which (a) causes discomfort or annoyance to reasonable persons of normal sensitivity, or (b) endangers the comfort, repose, health, or peace of residents in the area shall be deemed and declared to be public nuisances and are not allowed. As such the enforcement officer may order the immediate cessation of such operations or activities deemed and declared a public nuisance. If any person shall fail to immediately comply with the order the enforcing officer shall as soon as practicable file a complaint with a court of competent jurisdiction charging said person with violation of this Ordinance.

(b) The following noise generating activities are specifically prohibited from operation during the times noted:

(1) Operation of lawn mowers or an internal combustion engine blower or power fan between the hours of 9:00 p.m. and 7:00 a.m.

(2) The loading or unloading of sanitation vehicles between the hours of 10:00 p.m. and 7:00 a.m., except for within the Downtown Solid Waste Removal District as designated by Section 5-7-2

(c) The provisions of this chapter shall not apply to persons operating vehicles, machinery, or equipment while engaged in snow clearance or snow removal operations, nor to agricultural or forestry operations as exempted under RSA 432:33.

(Ord. No. 2570, § I, 7-12-04; Ord. No. 2604, § V, 4-1105)

13-6-9 - Construction Noise.

(a) *Construction Noise.* The generation of any noise from construction activity as defined in Section 13-6-2 or from a construction site that is clearly audible at a dwelling in any district is prohibited, except for noise generated:

(1) Between 7:00 a.m. and 7:00 p.m. on weekdays; or

(2) Between 9:00 a.m. and 7:00 p.m. on Saturdays; or

(3) Between 9:00 a.m. and 7:00 p.m. on Sundays, and on the following holidays: January 1, Memorial Day or on a date to coincide with the federal observance if it is held on a different day, July 4, Labor Day, Thanksgiving Day, or Christmas Day from work done by a resident at the resident's dwelling; or

(4) Between 9:00 a.m. and 7:00 p.m. on a holiday as defined by RSA 288:1 as the third Monday in January, known as Martin Luther King Jr. Civil Rights' Day; the third Monday in February, known as Washington's Birthday; the second Monday in October, known as Columbus Day; the day on which the biennial election is held; and November 11, known as Veterans' Day.

(b) *Exceptions.*

(1) Sections 13-6-8 and 13-6-9 shall not apply to routine or emergency City work including solid waste collection, street sweeping, street and sidewalk plowing, snow removal, and other periodic work necessary for the City to maintain its public streets and infrastructure.

(2) Emergency work as defined in Section 13-6-2 is exempt from hours of operations' restrictions.

The Code Administrator may, in writing, grant exceptions to these provisions when the work, in the Code Administrator's sole discretion, is of an urgent or otherwise necessary for or in the interest of public or private safety and convenience.

(Ord. No. 2604, § V, 4-11-05)

13-6-10 - Abatement of Amplified Sounds.

(a) A person shall not use or operate or cause to be used or operated any mechanical device, machine, apparatus, or instrument for the reproduction, intensification, or amplification of the human voice, music, or any sound or noise from any public or private place in such manner that the peace and good order of the neighborhood is disturbed or that persons owning, using, or occupying property in the neighborhood are disturbed or annoyed.

(b) A person shall not operate any sound or public address system upon the streets, lanes, alleys, or sidewalks of the City without first securing a permit for the same from the Chief of Police. Such permit shall state the time, place, nature of the material to be broadcast, and such other details as the Chief of Police shall determine. The fee for such permit shall be as listed in Schedule I of Chapter 1

(Ord. No. 2604, § V, 4-11-05)

13-6-11 - Noise Created by or Emanating From a Motor Vehicle.

(a) A person operating in or in control of a parked or moving motor vehicle shall not operate or permit the operation of an electronically amplified sound system in or on the motor vehicle so as to produce sound that is clearly audible more than fifty (50) feet (fifteen (15) meters) from the motor vehicle except as otherwise authorized.

(b) A person shall not operate a motor vehicle so as to make any loud, unusual, or unnecessary noise occasioned by any one or more of the following actions by the operator:

(1) Misuse of power, exceeding tire traction limits in acceleration, sometimes known as "laying down rubber" or "peeling rubber," or excessive acceleration where there is no emergency.

(2) Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency.

(3) Rapid acceleration by means of quick upshifting of transmission gears with either a clutch or manual transmission or automatic transmission.

(4) Rapid deceleration by means of quick downshifting of transmission gears with either a clutch or manual transmission or an automatic transmission.

(5) Racing of engines by manipulation of the accelerator, gas pedal, carburetor, or gear selection whether the vehicle is either in motion or standing still.

(Ord. No. 2604, § V, 4-11-05)