



## **Cabarrus County Sheriff's Office**

### **Sound Amplification (Noise) Permit Packet**

**Complete, notarize and return the following documents to the Cabarrus County Sheriff's Department, Records Division, 5<sup>th</sup> floor, 30 Corban Avenue SE in Concord at least 15 business days prior to the event. Please contact the Record's Division at (704) 920-3100 for assistance.**

#### **Packet Contents:**

- **Sound Amplification Application Form and Permit**
- **Affidavit of Service**
- **Schedule**
- **Notice of Application to Obtain a Sound Amplification Permit**
- **Chapter 30, Environment, Article II – Noise, Cabarrus County Code of Ordinances**

**CABARRUS COUNTY SHERIFF'S OFFICE  
SOUND AMPLIFICATION  
APPLICATION FORM AND PERMIT**

Applicant Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone #: (\_\_\_\_) \_\_\_\_\_

Work Phone #: (\_\_\_\_) \_\_\_\_\_ Fax Phone #: (\_\_\_\_) \_\_\_\_\_

Specific location where event is to be held:  
\_\_\_\_\_

Type of event: \_\_\_\_\_

Type(s) of sound amplification equipment to be used: \_\_\_\_\_

Date event to be held: \_\_\_\_\_

Time sound amplification equipment is to be in use: \_\_\_\_\_ until 11:PM

Name of person responsible for event: (If other than applicant) \_\_\_\_\_

Address of responsible person: \_\_\_\_\_

Home Phone #: \_\_\_\_\_

Date and time application submitted: \_\_\_\_\_

Signature of applicant: \_\_\_\_\_

Reviewed by Sheriff Van Shaw on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Sheriff's Signature: \_\_\_\_\_

Application: Approved \_\_\_\_\_ Denied \_\_\_\_\_

**Note:** By signing this application, the applicant(s) or responsible person(s) acknowledge that All Sound Amplification Permits are issued on a conditional basis.

**Conditions:** If the nature of the sound or the level of the volume is so great that it disturbs the reasonable and ordinary peace and repose of the community surrounding the event, the applicant or responsible party will be requested to lower the volume or shut down altogether. Failure to submit to this request will invalidate the permit and subject the applicant to criminal prosecution if necessary.

STATE OF NORTH CAROLINA  
COUNTY OF CABARRUS

NOISE AMPLIFICATION  
ORDINANCE  
AFFIDAVIT OF SERVICE

The undersigned, being first duly sworn, deposes and says:

1. I am the applicant for a sound amplification permit pursuant to Section 30-27 of Chapter 30, Article II of the Cabarrus County Code of Ordinance.
2. This Affidavit is based on my own personal knowledge of the events and circumstances described in this document.
3. I have determined through normal reliable sources the names and addresses of the owners or occupants of each parcel of real estate within 500 feet of the boundaries of the property for which I have applied for the permit.
4. I have mailed by certified and regular mail or delivered by hand or by courier a copy of the attached Notice to each of the persons listed in the attached Schedule.
5. The persons listed in the attached Schedule constitute all of the owners or occupants of each parcel of real estate within 500 feet of the boundaries of the property for which the permit has been applied.
6. I understand that should the statements made by me in this affidavit be untrue, my sound amplification permit will be denied or revoked and I may be subject to additional civil or criminal penalties.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature above)

\_\_\_\_\_  
(Print name)

Sworn to and subscribed before me  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**NOTIFICATION TO OWNERS AND OCCUPANTS WITHIN  
500 FEET**

**Name of Owner or Occupant**

**Address**

**Method of Serving Notice**

# NOTICE OF APPLICATION TO OBTAIN A SOUND AMPLIFICATION PERMIT

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\_\_\_\_\_  
Date of Notice

Dear Sir or Madam:

This form is to notify you that the person listed below has applied to the Cabarrus County Sheriff's Office for a sound amplification permit. The county ordinance requires that the applicant mail or otherwise deliver, to the occupants of each property within a 500-foot radius of the location where the sound will originate, a notice stating the nature, date, and hours of the proposed event. This notice must be delivered at least seventy-two hours before the issuance of the requested permit.

If you have any questions regarding this notice please contact the Cabarrus County Sheriff's Office at Telephone (704) 920-3100

Applicant Name: \_\_\_\_\_

Location of Event: \_\_\_\_\_

Nature of Event: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Hours of Event: \_\_\_\_\_

**ARTICLE II. NOISE\***

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\*State law references: Authority to regulate noise, G.S. 153A-133.

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**Sec. 30-26. Penalty for violation of article.**

Any person violating the provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7.

(Ord. of 6-7-82, § 2)

**Sec. 30-27. Enumeration of prohibited acts.**

(a) Subject to the provisions of this article, the creation of any unreasonable loud, disturbing and unnecessary noise of such character as would be a detriment to public health, comfort, safety, welfare and prosperity of the residents of the county is prohibited.

(b) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this article, but such enumeration shall not be deemed to be exclusive, namely:

(1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal; the creation by means of any such signal device of any unreasonable loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(2) The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly during hours between 11:00 p.m. and 7:00 a.m. as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel or other type of residence.

(3) The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise.

(4) The creation of any excessive and unreasonable noise on any street adjacent to any school, institution of learning, library or court while the same is in session, or adjacent to any hospital, or any church services, which unreasonably interferes with the working of such institution.

(5) The shouting and crying of peddlers, hawkers, vendors, which disturbs the quiet and peace of the neighborhood.

(6) The use of any drum, loudspeaker or other instrument or device for any performance, show, sale, display or advertisement of merchandise, or any other commercial or noncommercial purpose, unless a permit for sound amplification has been obtained from the sheriff's department in accordance with section 30-28 of this article.

(7) The display of fireworks after the hour of 9:00 p.m., Sunday through Thursday, and after the hour of 11:00 p.m., Friday and Saturday. Exception is made for New Year's Eve, when fireworks may be displayed until 12:45 a.m. on New Year's Day, and for

Independence Day, when fireworks may be displayed until 11:00 p.m.

(Ord. of 6-7-82, § 1; Ord. No. 1999-03, 5-17-99; Ord. No. 2001-01, 2-19-01)

### **Sec. 30-28. Permits for sound amplification.**

(a) *Application.* The application for a permit for sound amplification under section 30-27 may be obtained from the sheriff's department or the clerk to the board of county commissioners. Completed applications shall be submitted to the sheriff's department at least 15 working days in advance of the planned use except in case of emergency. The applicant for a permit shall be responsible for sending a notice by certified and regular mail or by otherwise delivering the notice to the owners or occupants of each property within 500 feet of the parcel of real estate for which a permit has been applied. The notice shall state the type of event and date and hours of the event. The notice shall be sent on a form approved by the sheriff's office and shall be delivered at least 72 hours in advance of the event. The permit shall not be granted and issued until the applicant submits an affidavit satisfactory to the sheriff's office that such notices have actually been mailed or otherwise delivered. The applicant must attach to the affidavit a listing of the names of the owners or occupants and the street addresses of the properties notified pursuant to this section.

(b) *Review.* The application shall be reviewed by the sheriff or the sheriff's designee. The applicant will be notified of the approval or denial of the permit within three working days from the time the application was filed. If the application is approved, the permit shall include, among other things, the name or names of the individual person or persons who shall be in control of the sound amplification equipment and the date, time and nature of the event. If the permit is not granted, the reason for the denial shall be put in written form and delivered to the applicant.

(c) *Denial; exceptional permit.* If an applicant has been denied a permit under this section and believes the denial is illegal by virtue of applicable state or federal law, he shall promptly submit a copy of the denied permit application together with a short statement of the reasons he believes he is entitled to a permit to the sheriff. The sheriff shall have the discretion to grant an exceptional permit waiving locational and time requirements, upon his determination that the applicant has made a substantial showing of legal entitlement.

(Ord. No. 1999-03, 5-17-99; Ord. No. 2009-10, 6-15-09)