

Chapter 467

1974 REPLACEMENT PART

Noise Control

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|---------|---|---------|--|
| 467.010 | Legislative findings and policy | 467.040 | Powers of Environmental Quality Commission |
| 467.020 | Emission of noise in excess of prescribed levels prohibited | 467.050 | Enforcement powers |
| 467.030 | Adoption of noise control rules, levels and standards | 467.990 | Penalties |

CROSS REFERENCES

- | | |
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| Inclusion of noise emission standards with motor vehicle emission standards, 468.370 | Motor vehicles, unnecessary muffler noise prohibited, 483.448 |
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467.010 Legislative findings and policy. The Legislative Assembly finds that the increasing incidence of noise emissions in this state at unreasonable levels is as much a threat to the environmental quality of life in this state and the health, safety and welfare of the people of this state as is pollution of the air and waters of this state. To provide protection of the health, safety and welfare of Oregon citizens from the hazards and deterioration of the quality of life imposed by excessive noise emissions, it is hereby declared that the State of Oregon has an interest in the control of such pollution, and that a program of protection should be initiated. To carry out this purpose, it is desirable to centralize in the Environmental Quality Commission the authority to adopt reasonable state-wide standards for noise emissions permitted within this state and to implement and enforce compliance with such standards. [1971 c.452 §1]

467.020 Emission of noise in excess of prescribed levels prohibited. No person may emit, cause the emission of, or permit the emission of noise in excess of the levels fixed therefor by the Environmental Quality Commission pursuant to ORS 467.030. [1971 c.452 §3]

467.030 Adoption of noise control rules, levels and standards. (1) In accordance with the applicable provisions of ORS chapter 183, the Environmental Quality Commission shall adopt rules relating to the control of levels of noise emitted into the environment of this state and including the following:

(a) Categories of noise emission sources, including the categories of motor vehicles and aircraft.

(b) Requirements and specifications for equipment to be used in the monitoring of noise emissions.

(c) Procedures for the collection, reporting, interpretations and use of data obtained from noise monitoring activities.

(2) The Environmental Quality Commission shall investigate and, after appropriate public notice and hearing, shall establish maximum permissible levels of noise emission for each category established, as well as the method of measurement of the levels of noise emission.

(3) The Environmental Quality Commission shall adopt, after appropriate public notice and hearing, standards for the control of noise emissions which shall be enforceable by order of the commission.

[1971 c.452 §2; 1973 c.107 §1; 1973 c.835 §159]

467.040 Powers of Environmental Quality Commission. The Environmental Quality Commission has the power to investigate complaints regarding excessive noise emission, to hold hearings, to issue orders, to make rules, to impose sanctions, and to do any other thing necessary to carry out the policies of this state as set forth in this chapter.

[1971 c.452 §4]

467.050 Enforcement powers. The Environmental Quality Commission shall have the further power to enforce compliance with or restrain violation of this chapter or rules or orders made thereunder in the same manner provided for enforcement proceedings under ORS chapter 468.

[1971 c.452 §5; 1973 c.826 §5; 1973 c.835 §160; 1974 s.s. c.36 §16]

467.990 Penalties. Violation of any provision of this chapter or rules or orders made under the provisions of this chapter is a Class B misdemeanor. Each day of violation shall be considered a separate offense.

[1971 c.452 §6; 1973 c.835 §161]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on June 1, 1974.

Thomas G. Clifford
Legislative Counsel