

ACT 82

H. B. NO. 129

A Bill for an Act Relating to Loud Noises at Night.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 267-32*, Revised Laws of Hawaii 1955, is amended to read as follows:

“Section 267-23. Disturbing quiet of night; penalty. Whoever makes or causes to be made after sunset any disturbing or disorderly noise in any inhabited area of the State without justifiable cause shall have created a common nuisance and shall be fined not more than \$100.

For the purposes of this part ‘disturbing noise’ is any noise that causes annoyance to two or more persons residing in separate households in close proximity to the source of the noise, provided, however that, where only a few persons, of many who are equally exposed, are, owing to their peculiarity of temperament or to infirmity, annoyed by the noise, the same is not a common nuisance; ‘disorderly noise’ is any noise which is louder than is reasonably necessary incidental to any business or social activity that is otherwise lawful.”

SECTION 2. Notwithstanding the adoption of Act 16, Session Laws of Hawaii 1968, this Act shall have full force according to its intent. Upon the taking effect of this Act or the Hawaii Revised Statutes, whichever occurs later, this Act shall be construed to be in amendment of or in addition to the Hawaii Revised Statutes, all references in this Act being construed to refer to the applicable or corresponding provisions of the Hawaii Revised Statutes.

The Revisor of Statutes may reword or renumber the references in this Act and make such other formal or verbal changes as may be necessary to conform with the Hawaii Revised Statutes.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 23, 1969.)

* So in original