

Exceeding the level of the noise

Question:

My house is three meters from a small family hotel in Protaras. Three times a week from 21.00 until midnight the hotel has undergoing karaoke. The volume has extraordinary level. We talked to them, it was useless. Please, advise how to act properly in this situation? 31/10/2014

Response:

GENERAL BAN

Under the current law, all owners of any entertainment centers are forbidden to create noise in the working hours of entertainment establishments, especially at a time when there are restrictions on the noise impact.

INVESTIGATING OF COMPLAINTS REGARDING NOISE

1. Any person may file a complaint with the police for excessive noise, the source of which is private property or entertainment center.
2. In order to establish acceptable levels of exceeding the noise police, in the case of a complaint, and in accordance with the provisions of the preceding paragraph, shall take all necessary measures to investigate and measure the level of noise that was coming from the entertainment center, located next to the house of the applicant

Official police investigation in entertainment centers.

The police may at any time carry out an official investigation into the entertainment center to make sure whether the complaint is true.

POLICE POWERS REGARDING OFFENDERS

If the police in case of the complaint from any person, or in the course of an official investigation, finds that the noise caused by the entertainment center or a private person, exceeds the allowable volume level set by law, it can enter the territory of the entertainment center and ask the owner to comply immediately to the provisions of the law.

In the case of refusal of the owner, in accordance with the above paragraph, the police send owner a written notice of the violation of the relevant provision of the law.

At the same time the police are obliged to provide the owner with a copy of the letter to the measurement of the noise level, showing all the details and circumstances in which this measurement was made.

VIOLATIONS REGARDING THE SET LEVEL OF THE NOISE

If the owner of the entertainment center was given a written notice in accordance with the provisions of the law on exceeding the permissible noise, he is guilty of an offense with respect to exceeding the sound level in the case of conviction shall be fined or imprisoned or both penalties. The court may also order the confiscation, seizure or retention of sound equipment used by the offense.

EXTRAJUDICIAL SOLUTION

If the police have reason to consider that the offense was committed in relation to exceeding the noise, the police have the right to fine the owner of the entertainment center by giving a notice. The fine may be reviewed from time to time by order of higher authorities, published in the Official Gazette.