

HUG BREVINS

Amended
ORDINANCE # 62

LOUD, DISTURBING AND UNNECESSARY NOISES PROHIBITED

(A) It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual 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.

(B) The acts enumerated in the following subdivisions, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but such enumeration shall not be deemed to be exclusive.

(1) The use, operation, or playing or permitting to be played, use or operation of any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the production or reproduction of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto, is hereby prohibited. The operation of any such set, instrument, phonograph, machine or device in this such manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(2) Automobiles, Trucks, Tractors, and Motorcycles- The use of any automobile, truck, tractor, motorcycle or other vehicle so out of repair, or loaded, or operated in such a manner as to create loud or unnecessary noises (such as spinning or squealing tires, grating, grinding, rattling, engine braking (also known as Jake Braking) or other noises) shall be deemed a violation of this article.

(3) Certain civic, religions, and other enunerated activities shall be exempt from the provisions of this oridinance. The following gatherings, events and activities are hereby declared exempt to wit:

- (1) Public parades
- (2) School sponsored events of any kind
- (3) Rodeo or livestock related events
- (4) An event at any recognized civic or youth center
- (5) Any revival or religions crusade of any kind sponsored by a church located within the city limits of Zavalla.
- (6) Any public event such as a flag raising, memorial service or funeral located within the city limits of Zavalla.

PENALTIES

Any person or person(s) found in violation(s) of ORD. #62 shall pay a fine up to a maximum amount of \$150.00. Payable to Zavalla Municipal Court.

SEVERABILITY

If any portion of this ordinance shall, for any reason, be declared invalid such, invalidity shall not affect the remaining provisions thereof.

LIMITATIONS

This ordinance shall not be constructed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

REPEALER

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

READ AND APPROVED on first reading this the 8 day of

August, 2005.

- Waived second Reading

READ, APPROVED AND ADOPTED on second reading this the _____ day of _____, 20_____.

Hulon Miller
HULON MILLER, Mayor
City of Zavalla, Texas

ATTEST:

Donna Marshall
DONNA MARSHALL, City Secretary



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REPEALER

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

READ AND APPROVED on first reading this the 14 day of February, 20 00.

READ, APPROVED AND ADOPTED on second reading this the 13 day of March, 2000.

Hulon Miller
HULON MILLER, Mayor
City of Zavalla, Texas

ATTEST:

Donna Marshall
DONNA MARSHALL, City Secretary



SEAL