

ORDINANCE NO. 2019-03

AN ORDINANCE FOR THE REGULATION OF EXCESSIVE, UNNECESSARY, OR UNUSUALLY LOUD NOISE IN THE MUNICIPAL LIMITS OF PATTERSON; TO REPEAL AND REPLACE ANY PRIOR ORDINANCES RELATING TO SAME; AND FOR OTHER PURPOSES.

WHEREAS, the City of Patterson desires to repeal and replace its existing Noise Ordinance to provide updated regulations relating to excessive, unnecessary, or unusually loud noises;

NOW THEREFORE, the City Council of Patterson hereby ordains that:

SECTION 1. Repealer. Any prior ordinances relating to excessive, unnecessary, or unusually loud noises within the municipal limits of Patterson are hereby repealed.

SECTION 2. Adoption of New Ordinance. The Council hereby adopts the following ordinance and the Code of Ordinances of the City of Patterson shall be updated to include these provisions. This ordinance shall be renumbered if necessary to fit within the existing Code of Ordinances.

SECTION 3. General Prohibition.

It shall be unlawful for any person to willfully make, continue, or cause to be made or continued any excessive, unnecessary, or unusually loud noise, which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing within the city. (Code 1987 § 11-5)

Illustrative enumeration.

The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this article, but said enumeration shall not be deemed to be exhaustive.

(1) Motor vehicle horns. The sounding of any horn on any automobile, motorcycle, or other motor vehicle on any street or public place of the city except as a warning signal.

(2) Radios, television sets, and similar devices. The using, operating, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the producing or reproducing of sound between the hours of 10:00 pm and 7:00 am in such a manner as to disturb the peace, quiet, and comfort of neighboring residents.

(3) Loud speakers and amplifiers. The using or operating of any loudspeaker or sound amplifying device mounted upon any vehicle within the city for the purpose of broadcasting or advertising any information about any business or activity for any other purpose, unless a permit for such sound amplification has been obtained from the mayor or chief of police.

(4) Construction equipment and activity. The operating of any equipment or the performing of any outside construction or repair work on buildings, structures, roads, or projects within the city between the hours of 10:00 pm and 7:00 am unless a permit for such construction on repair work between such hours has been obtained from the mayor or chief of police.

(5) Exhausts. The discharging into the open air of the exhaust of any internal combustion engine, motorboat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises from therefrom.

(6) Animals and birds. The keeping of any animal or bird which by frequent or continuous barking, chirping, or other means of communication disturbs the comfort or repose of the residents of any residential neighborhood.

(7) Vehicle repair in residential areas. The repairing, rebuilding, or testing of any motor vehicle between the hours of 10:00 pm and 7:00 am within any residential area in such a manner as to disturb the peace, quiet, and comfort of the residents of the area.

(8) Schools, courts, churches, hospitals. The creating of any excessive noise on any street adjacent to any school, institution of learning, church, or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the working of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church, or court street.

(9) Hawkers and peddlers. The selling of anything by outcry within the residential area of the city, except at licensed sporting events, parades, fairs, circuses, and other similar licensed public entertainment events.

(10) Drums. The using of any drum or other instrument or device for the purpose of attracting attention by the creation of noise within the city, unless a permit for such use has been obtained from the mayor or chief of police.

(11) Compression release brake. Also commonly known as a “jake brake,” opening the exhaust valves at the top of the compression stroke, creating a loud noise similar to the firing of a gun, is prohibited in the municipal limits of Patterson in such a manner as to disturb the peace, quiet, and comfort of the residents of the area.

Same – Exemptions.

The following uses and activities shall be exempt from the noise regulations set forth in this article:

(1) Noises of safety signals and warning devices.

(2) Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.

(3) Noises resulting from emergency work, to be construed as work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger. (Code 1987 § 11-7)

Same – Injunctions.

In addition to punishment of a violator of the noise regulations, the operation or maintenance of any device, vehicle, or machinery in violation of any provision of the noise regulations of this article which causes discomfort or annoyance to reasonable persons or normal sensitiveness or which endangers the comfort, repose, health, or peace of residents of this city shall be deemed, and is declared to be a public nuisance, and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

SECTION 4. Effective Date.

This Ordinance shall become effective on the date of its approval at a second reading by the City Council.

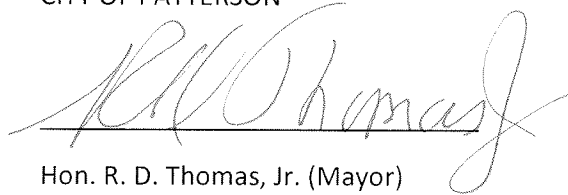
Adopted this 11th day of November, 2019, by the affirmative vote of a majority of the councilmembers present at an official meeting of the Council of the City of Patterson.

ATTEST:

CITY OF PATTERSON



Ray Cunningham (City Clerk)



Hon. R. D. Thomas, Jr. (Mayor)

Date of 1st reading 10-10-2019

Date of 2nd reading and approval 11-12-2020

