

Approved 9-20-2010

NOISE ORDINANCE #09202010

AN ORDINANCE BY THE City Council of the City of Munday, Texas, declaring certain unreasonably loud, disturbing, and unnecessary noises to be nuisances; enumerating certain prohibited nuisances; providing a penalty; providing for publication; and providing an effective date.

WHEREAS the City council of the City of Munday, Texas has determined that in order to protect the health and welfare of the citizens of the City, it is necessary to adopt an ordinance controlling noise that is unreasonably loud, disturbing or unnecessary and that creates a nuisance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUNDAY, TEXAS, THAT:

A. Noise as nuisance

1. Any unreasonably loud, disturbing, or unnecessary noise which causes material distress, discomfort, or injury to persons of ordinary sensibilities is declared to be a nuisance and is prohibited.
2. Any noise of such character, intensity, and continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance and is prohibited.

B. Nuisances enumerated

Nuisances under which are prohibited, include, but are not limited to:

1. The playing of a radio, recorder, phonograph or other musical instrument in such manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in a dwelling, hotel or other type of residence.
2. Parties or gatherings with people yelling, talking loud or creating other noise, as to annoy or disturb the quiet, comfort, or repose of persons of ordinary sensibilities in a dwelling, hotel, or other type of residence.
3. It is unlawful for any person operating or controlling a motor vehicle in either a public or private place within the city to operate any sound amplifier which is part of, or connected to any radio, stereo receiver, compact disc player, cassette tape player or other similar device in the motor vehicle, in such a manner that, when operated, it is audible at a distance of 20 feet or, when operated, causes a person to be aware of the vibration accompanying the sound at a distance of 20 feet from the source.

C. The provisions of this section do not apply to:

1. An authorized emergency vehicle.
2. Motor vehicle used for business or political purposes, properly permitted.
3. Horns or warning devices of emergency vehicles.

D. Enforcement:

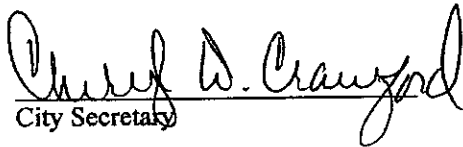
Issue a civil citation with a mandatory court appearance, and a fine not to exceed \$500.00.

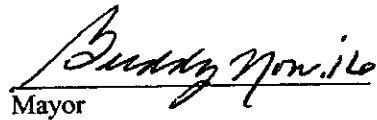
PLEASE NOTE: Warning notices and civil citations are issued to **people or business names**, not locations.

BE IT ORDAINED THAT the provisions of this ordinance shall control and govern, should there be any conflict with the provisions of this ordinance and the provisions of any other ordinance now in affect.

READ, PASSED AND ADOPTED this 20 day of September, 2010.

ATTEST:


Cheryl D. Crawford
City Secretary


Buddy Nonilo
Mayor