

ORDINANCE NO. 2018-04

**ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
ELECTRA, TEXAS, REGARDING NOISE WHICH CONSTITUTES
NUISANCE IN THE CITY OF ELECTRA, TEXAS:**

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ELECTRA, TEXAS, THAT:

Chapter 7 (Offenses & Nuisances), Sec. 15: NOISE

A. General Prohibition; Declaration of Nuisance:

- a. Any unreasonably loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is prohibited.
- b. 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. Specific Noises Prohibited:

The following acts, among others, are declared to be nuisances in violation of this code, but said enumeration shall not be exclusive:

- a. The playing of any radio, phonograph, electronic equipment, or other musical instrument or device in such manner or with such volume, particularly during the hours of curfew, as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, motel or other type of residence.
- b. The use of any stationary loudspeaker or amplifier of such intensity that annoys and disturbs persons of ordinary sensibilities in the immediate vicinity thereof; or the use of any stationary loudspeaker or amplifier operated on day between the hours of 11:00 p.m. and 7:00 a.m.
- c. The continued or frequent sounding of any horn, alarm, or signal device on any automobile, motorcycle, bus or other vehicle except as a danger or warning signal; or the creation by means of any such signal device of any unreasonably loud or harsh noise for any unnecessary and unreasonable period of time.

- d. The running of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, jarring or rattling noise or vibration.
- e. The discharge into the open air of the exhaust of any type of engine (whether motor vehicle, boat, or other engine) except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- f. The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.
- g. The erection, including excavation, demolition, alteration or repair work, of any building, other than between the hours of 7:00 a.m. and 9:00 p.m. any day of the week, except in case of urgent necessity in the interest of the public safety and convenience.
- h. The creation of any excessive noise on any street adjacent to any school or institution of learning while the same is in session, or adjacent to any hospital or public meeting institution, which unreasonably interferes with the workings of such institutions.
- i. The creation of any unreasonably loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers.
- j. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noise to any performance, show or sale of merchandise.
- k. The operation of a motor vehicle on a public road, alley, right-of-way or highway in a manner that causes the vehicle to undergo a sustained loss of traction and squealing of the tires.

C. Exceptions:

The provisions of this Ordinance shall not apply to:

- a. The emission of sound for the purpose of alerting persons to an emergency; or
- b. Sound produced by emergency vehicles; or
- c. Sound produced by a vehicle motor while the vehicle is moving on a public road; or

- d. Sound produced by any governmental body in the performance of any government function; or
- e. Sound generated at a scheduled public or private event or construction site, the scope, activity, and time of which has been pre-approved by City Administration.

D. Penalty:


Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00). Each day that any violation continues shall constitute a separate offense.

The effective date of this ordinance shall be June 21, 2018.

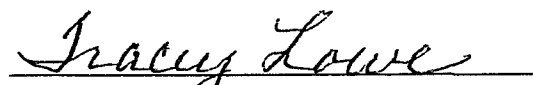
PASSED AND APPROVED on first reading the 8th day of May, 2018.

PASSED AND APPROVED on second reading the 22nd day of May, 2018.

PASSED AND APPROVED on third and final reading the 12 day of June, 2018, at meetings on said same dates which were open to the public as required by law.


Lynda Lynn, Mayor
City of Electra

ATTEST:


Tracey Lowe, City Secretary