

ORDINANCE NO. 118
(Noise Ordinance)

AN ORDINANCE PROHIBITING LOUD, DISTURBING, AND UNNECESSARY NOISES AND ENUMERATING SUCH NOISES; AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

WHEREAS, it is deemed by the City Council of the City of Wallis, Texas that loud, disturbing, and unnecessary noises impair the enjoyment of life and property and interferes with the public peace and comfort.

WHEREAS, it is expressly provided by the Revised Civil Statutes of Texas that cities shall have the power to correct the offensive conduct hereinbefore recited.

WHEREFORE, the City of Wallis deems it is in the best interest of the citizens of Wallis, Texas to enact the following Ordinance.

BE IT ORDAINED by the City Council of the City of Wallis, Texas:

1. TITLE OF ORDINANCE. This Ordinance may be cited as the Noise Ordinance.

2. LOUD NOISE PROHIBITED. No person shall make or cause to be made any loud, disturbing, and unnecessary noise in the City which is offensive to the ordinary sensibilities of the inhabitants of the City or which renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

3. SPECIFIC NOISES ENUMERATED. The following acts, among others, are declared to be loud, disturbing, and unnecessary noise in violation of this Ordinance; provided, however, that such enumeration shall not be construed to be exclusive of other loud, disturbing, and unnecessary noise, to-wit:

(a) Horns and Signal Devices

The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as a danger signal if another vehicle or pedestrian is approaching; or, if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time, except as the same may be used by authorized emergency vehicles while on emergency calls, or as may

be otherwise required while on duty, shall be deemed a violation of this Ordinance.

(b) Radios, Phonographs, and Musical Instruments

The playing of any radio, phonograph, or any musical instrument in such a manner, or with such volume, particularly between the hours of 11:00 p.m. and 7:00 a.m., so as to create a noise reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances, residing in or located in the area in which the noise was made shall be deemed a violation of this Ordinance.

(c) Automobiles and Motorcycles

The use of any automobile, motorcycle, or other vehicle so out of repair, or loaded or operated in such manner as to create loud or unnecessary noises, such as spinning or squealing of tires, grating, grinding, rattling, loud exhaust system, or other noises, shall be deemed a violation of this Ordinance.

(d) Building and Demolition Procedures

The erection (including excavation), demolition, alteration, or repair of any building other than between the hours of 7:00 a.m. and 9:00 p.m., except in case of urgent necessity in the interest of public safety and then only with a permit from the City, shall be deemed a violation of this Ordinance.

(e) Shouting and or Crying by Peddlers

The shouting and crying of peddlers, hawkers, and vendors which disturbs the quiet and peace of the City shall be deemed unnecessary noise and a violation of this Ordinance.

(f) Drums, Loudspeakers, Etc.

The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention to any performance, show, or sale of merchandise by creation of noise shall be deemed unnecessary noise and a violation of this Ordinance. The use of loudspeakers and amplifiers on automobiles, trucks or other vehicles in a manner offensive to the ordinary sensibilities of the inhabitants of the City, except where specific license is granted by the City, shall be deemed unnecessary noise and a violation of this Ordinance.

4. PENALTY. Any person, firm, or corporation violating this Ordinance shall be fined not more than two hundred dollars (\$200.00) for each offense, and a separate offense shall be deemed committed on each day during which a violation occurs or continues.

5. EFFECT OF PARTIAL INVALIDITY. If any part of this Ordinance is held to be invalid for any reason, then that fact shall not invalidate the entire Ordinance, but the remainder thereof shall remain in full force and effect.

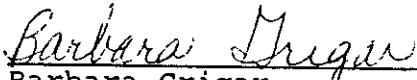
PASSED AND APPROVED this the 25th day of February, 1992.

CITY OF WALLIS, TEXAS

By: 

John Lockwood, Mayor

ATTEST:


Barbara Grigar,
City Secretary