

ORDINANCE NO. 407

BE IT ORDAINED BY THE CITY OF DADEVILLE, ALABAMA

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SECTION 1. PURPOSE

This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet for the citizens of Dadeville, Alabama, through the reduction, control and prevention of excessive noise. It is the intent of this ordinance to establish standards that will eliminate or reduce unnecessary and excessive vehicle and community noises which are physically harmful and otherwise detrimental to individuals and the community in the enjoyment of life, property and conduct to business.

SECTION 2. DEFINITIONS

All terms used in this ordinance shall , for the purpose of this ordinance, have the meanings hereinafter ascribed to them.

“Motor vehicle” shall mean any self-propelled vehicle.

“Public premise” shall mean all property including appurtenances thereon which is owned or controlled by any public governmental entity and shall include streets, alleys, parks and waterways.

“Residential premise” shall mean any premise where single or multiple dwelling units exist and shall include schools, churches, hospitals, nursing homes and similar institutional facilities.

“Sound amplification system” shall mean any radio, tape player, compact disc player, loudspeaker or other electronic device used for the amplification of sound.

SECTION 3. SOUND AMPLIFICATION SYSTEMS

1. (A) No person shall operate or cause to be operated, any sound amplification system either in a motor vehicle or separate therefrom, on any public premises so as to produce an audible sound measured at least twenty-five (25) feet from the said system. Measurement of the audible sound shall be by the auditory senses, based upon direct line of sight.
 - (B) There shall be no distinction between stopped, standing, parked, or moving vehicles.
2. Exemptions. The sound levels in Section 3.1 shall not apply to sounds emitted from:
 - (A) Any bell or chime from any clock, school or church.

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- (B) Any siren, whistle, horn, or bell used by emergency vehicles or any other alarm systems used in case of fire, collision, civil defense, burglary, police activity, or imminent danger, provided, however, that no burglar alarm shall remain activated for more than fifteen (15) minutes after being activated and further provided that no burglar alarm shall be allowed to produce alarm sounds in excess of those specified in Section (A) for more than fifteen (15) minutes in any two hour period.
- (C) Any activity of a temporary duration which is permitted by law and for which a license or permit has been granted by the City, including but not limited to parades, sporting events, concerts and fireworks displays.
- (D) Any recreational and educational activity including, but not limited to, school bands and neighborhood ball games.

SECTION 3.

Nothing in this section shall be construed to prohibit special performances by a band or orchestra in a hall, building or in the open air after proper permits have been obtained.

SECTION 4.

Nothing in this section shall be construed to prohibit the conducting of live remote broadcasts by duly licensed radio stations upon business premises, at the request of the owner of the business.

SECTION 5.

If any section, clause, or provision of this ordinance be declared unconstitutional or held invalid, it shall not affect any other section, clause, or provisions thereof, but the same shall remain in full force and effect.

SECTION 6.

Any person who violates or fails or refuses to obey or comply with any provision of this ordinance shall be guilty of a misdemeanor and upon conviction will be subject to a fine of not less than \$100 nor more than \$200 per count.

SECTION 7.

This ordinance shall become effective immediately upon its adoption, approval and the publication as required by law.

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SECTION 8.

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

ADOPTED this 24th day of March, 1997.

APPROVED this 24th day of March, 1997.

Joe L Smith
Mayor

ATTEST:

Ann McTelvey
City Clerk

CERTIFICATE OF CITY CLERK

The undersigned, as Clerk of the City of Dadeville, Alabama, hereby certifies that the foregoing is a true, correct, and complete copy of Ordinance No. 407 which was duly issued by the City Council on the 24th day of March, 1997.

WITNESS MY SIGNATURE, as Clerk of the City of Dadeville, Alabama, under the seal thereof, this 25th day of March, 1997.

Ann McTelvey
As Clerk of the City of
Dadeville, Alabama

SEAL