

CITY OF HAMPTON, GEORGIA
ORDINANCE NO. _____

AN ORDINANCE 97

To make it unlawful to create unnecessary noise; to provide penalties and enforcement; to repeal conflicting ordinances; to provide an effective date; and for other purposes.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON THAT THE CODE OR ORDINANCES OF THE CITY OF HAMPTON IS HEREBY AMENDED BY ADDING THERETO A SECTION 54-9 WHICH SHALL READ AS FOLLOWS:

Section 1.

A. The creating of any unreasonably loud, disturbing and unnecessary noise within the limits of the city is prohibited. Noise of such character, intensity or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.

B. The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

1. Horns. The sounding of any horn or signal device on any automobile, bus or other vehicle, while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or, if in motion, only as a danger signal; the creation by means of any such signal device of any unreasonably loud or harsh sound or the sounding of that device for an unnecessary or unreasonable period of time.

2. Musical Instruments, Radio and Sound Reproduction Equipment. The playing of any musical instrument, radio, amplifier, phonograph or other sound reproduction equipment in such a manner or with such volume, particularly during the hours between twelve midnight and seven a.m., as to annoy or disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence, or any persons in the vicinity, except this section shall not apply to schools of music between the hours of seven a.m. and ten p.m.

3. Voices. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of twelve midnight and seven a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any hospital, dwelling, hotel or other type of residence, or any persons in the vicinity.

4. Noisy Vehicle. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in any manner as to create loud and unnecessary grating, grinding or rattling, or other noise;

5. Steam Whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon request of proper city authority.

6. Exhausts. To discharge into the open air the exhaust of any stationary steam machine, stationary internal combustion engine, motor vehicle or motorboat engine, except through a muffler or other device which will effectively prevent

loud or explosive noises therefrom.

7. Construction Work. The erection (including excavating), demolition, alteration or repair of any building in any residential district or section, the excavation of streets and highways in any residential district or section, other than between the hours of seven a.m. and six p.m. on weekdays except in cases of urgent necessity, and then only with a permit from the city, which permit may be granted for a period not to exceed sixty days while the emergency continues.

8. On Street of Institutions Requiring Quiet. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof.

9. Loudspeakers on Vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

C. None of the foregoing terms or prohibitions shall apply to or be enforced against:

1. Any vehicle of the city while engaged upon necessary public business;

2. Excavations or repairs of bridges, streets or highways, by or on behalf of the city, county or state during the night, when the public welfare and convenience renders it impossible to perform that work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity

therefor; and

3. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

D. The prohibitions shall not be applicable to any parade, celebration or performance for which a written permit has been obtained prior thereto from the city clerk.

E. It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other public places of the city; provided that nothing in this section shall apply to the United States of America, the state, the county nor the city, nor to public agencies.

Section 2.

Penalty. Any person who shall violate this section or shall be found guilty of a violation of this section shall be punished as provided in Section 1-11 of the Code of the City of Hampton.

Severability. In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Hampton that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause or phrase were not originally part of the ordinance.

Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Effective Date. This ordinance shall become effective immediately upon adoption by the Mayor and Council.

So ordained this 10th day of February, 1998.

FIRST READING: January 13, 1998

SECOND READING: February 10, 1998

SO ORDAINED, THIS 10th DAY OF February, 1998.



MAYOR

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST:



CITY CLERK