

ORDINANCE 10-07

AN ORDINANCE AMENDING ORDINANCE 05-05 PROHIBITING LOUD AND UNNECESSARY NOISES WITHIN THE CITY OF CAMMACK VILLAGE; PROVIDING FOR AN EMERGENCY AND OTHER PURPOSES

WHEREAS, the City Council of the City of Cammack Village, Arkansas desires to amend Ordinance 05-05 regarding loud and unnecessary noises to add certain acts and/or situations that are deemed to be unreasonably loud and/or disturbing and unnecessary noises.

WHEREAS, Ordinance 05-05 as a result thereof is hereby amended and restated in its entirety to read as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNSEL OF THE CITY OF CAMMACK VILLAGE, ARKANSAS AS FOLLOWS:

Section 1. Unreasonably Loud and Disturbing Noises. The creation of any unreasonably loud, disturbing and unnecessary noise of such character, intensity or duration to be detrimental to the life or health of any individual, or in the disturbance of the public peace and welfare, is prohibited.

Section 2. Acts of Unreasonably Loud and Disturbing Noises. The following acts, among others (which is not deemed to be an exclusive list), are declared to be loud, disturbing and unnecessary noise:

- (a) 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 is approaching apparently out of control, 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 devices for an unnecessary and unreasonable period of time.
- (b) The playing of any radio, phonograph, any type of audio equipment, television, amplifiers, loud speakers, vehicle or residential alarm systems, any musical instrument or other devices not enumerated herein but which are plainly audible from a distance of fifty (50) feet from its source in such a manner or with such volume, particularly during the hours between 10:00 p.m. and 7:00 a.m. as to annoy or disturb the quiet, comfort or peace of any persons in or around any office, residence or other type of dwelling.
- (c) Any group yelling, hooting, shouting out or the playing of any type of audio equipment on the public streets, at any time of place, in such a manner as to annoy or disturb the quiet, comfort or peace of any persons in or around any office, residence or other type of dwelling.
- (d) The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

- (e) The use of any automobile, motorcycle or vehicle so out of repair, so altered, so loaded with other equipment or parts or the use thereof in such a manner as to create loud and unnecessary grating, grinding, rattling, acceleration, booming or other noise.
- (f) Section 2 herein does not apply to any vehicle of the City of Cammack Village when engaged upon necessary public business.
- (g) Irrespective of the above, Ordinance 95-20 and Ordinance 97-4 shall govern all issues associated with the keeping of dogs or cats, including any applicable fines and/or penalties that may be assessed by the City of Cammack Village with respect to the violation of such Ordinances including but not limited thereto any barking, screaming or howling by such an animal which disturbs the peace and quiet of any person who may reside within reasonable proximity of the place where such animal is kept.

Section 3. Fine. Persons found to be in violation of this Ordinance shall be fined up to \$100.00 for each offense.

Section 4. Conflict with any Other Ordinance. Except as otherwise set forth herein, this Ordinance repeals any prior Ordinance to the extent such other Ordinance is in conflict with this Ordinance as to any part.

Section 5. Emergency Clause. Due to the growth of the City of Cammack Village, Arkansas, it is necessary for the City to update and clarify proper standards as to what is acceptable to its residents as far as loud noises in order to protect the public peace and welfare of its residents of which such standards are necessary and vital to the efficient operation of the City of Cammack Village. An emergency is therefore declared to exist and this ordinance shall be in full force and effect as of the ____ day of July, 2010.

ADOPTED:

Date: _____

APPROVED:

Harry A. Light, Mayor

ATTEST:

Date: _____

Mary Lynn Walker, Recorder