

## NOISE ORDINANCE #2013-3

### **Playing Music In Public During Certain Hours Prohibited**

1. It shall be unlawful for any person operating, managing or conducting any hotel, restaurant, café or any other public sleeping or eating place, dance hall, domino hall, lodge, club, beer parlor, drugstore, moving picture show or public gathering of any kind, or the manager, agent, servant or employee of any such person to play, allow to be played, or permit to be played, within the corporate limits of the city, any juke box, piano, organ, musical box or musical instrument of any kind whatsoever, operated and played either by natural persons, or operated and played automatically by any means whatsoever, or coin-operated, between the hours of 12:00 midnight and 7:00 a.m. on any day of the week.

### **Noise From Speakers Affixed to Vehicles**

2. **Finding of Fact.** Loud and raucous noises being emitted from speakers or devices within vehicles on the streets and in the public areas of Dawson are annoying and offensive, and are detrimental to the welfare of the public as they disturb the peace of this community.

**Acts Prohibited.** Therefore, it shall be unlawful for any person, firm or corporation, either as principal, agent or employee, while operating a motor vehicle in or upon the streets, alleys, thoroughfares, parks, schools or playgrounds of the city to play, use or operate any device, speaker, sound amplifier, radio or phonograph, which is contained within or affixed to such vehicle, in such a manner as to emit loud and raucous noise, which is disturbing or offensive to a person of ordinary sensibilities.

**Prima Facie Case.** It shall be prima facie evidence that a violation of this section has been committed, when the volume of, the sound emitted from the device, speaker, sound amplifier, radio or phonograph is disturbing to any person of ordinary sensibilities located within fifty (50) feet of the vehicle wherein or upon which the device, speaker, sound amplifier, radio or phonograph is located.

### **Noise Generally**

3. **Prohibited Noises.** The creation of any unreasonably loud, disturbing or unnecessary noise in the city is hereby prohibited. Noises of such character, intensity, or duration as are reasonably calculated to cause material distress, discomfort or injury to persons of ordinary sensibilities, or to be detrimental to the life or health of any ordinary, reasonable persons are hereby prohibited.

**Specific Prohibited Noises.** The following acts, among others, are declared to be loud, disturbing or unnecessary noises in violation of the Code; provided however, such enumeration shall not be construed to be exclusive of other noises:

(1) The keeping of any animal or bird, which by causing frequent or long continued noise shall disturb the comfort and repose of any person of ordinary sensibilities in the immediate vicinity or adjacent property.

(2) The use of compression brakes or engine brakes, known as "Jake Brakes," by trucks is hereby prohibited within the city limits of the City of

Dawson.

Stephen Sanders,  
Mayor

Ronda Franks,  
City Secretary