

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF NEWNAN, GEORGIA TO PROVIDE FOR THE REGULATION OF NOISES WITHIN THE CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Newnan recognizes that excessive and disturbing sound is a serious hazard to the public health and welfare, safety, and the quality of life. A substantial body of science and technology exists by which excessive and disturbing sound may be substantially abated. People have a right to and should be ensured an environment free from excessive and disturbing sound that may jeopardize their health, safety, or welfare or degrade the quality of life; and

WHEREAS, consistent with this recognition by the City Council, the City Council desires to adopt regulations that ensure the public safety and welfare of all of its citizens and to ensure recognizing that noise exists in everyday life and regulations are desirable in order to ensure attractive residential and commercial areas and is necessary that an audibly satisfying environment be maintained; and

WHEREAS, to that end, the City Council recognizes that the City of Newnan is more likely to attract permanent residents and commercial enterprises if it improves and maintains appropriate noise quality and the residents will ultimately gain financial improvements and increases in their quality of life as a result of these regulations.

NOW THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED by the City Council of the City of Newnan, Georgia, and by that authority thereof:

Section I. That Section 10-36, Noise, of Chapter 10, Environment, of the Code of Ordinances of the City of Newnan, Georgia is hereby amended by deleting said Article in its entirety and inserting a new Section 10-36, Noises, to read as follows:

SECTION 10-36. NOISES

CHAPTER 10-36 - NOISE

(a) *Prohibited.* All loud, excessive or unusual noises, whether made by mechanical devices, vehicles, radios, sirens or horns, are prohibited within the city.

(b) *Definition.* Loud, excessive or unusual noises are defined as noises which disturb the comfort, quiet or repose of any citizen.

(c) *Restricted uses and activities.* Notwithstanding the provisions of this section, the following standards shall apply to activities or sources of noise set forth below:

1. Construction 1,000 feet from any residential district or section shall not be performed between the hours of 10:00 p.m. and 7:00 a.m., unless such activities are deemed emergency work.

2. Landscaping activities, i.e. lawn mowing, hedge trimming, tree trimming, etc. shall not be performed in any residential district or section between the hours of 10:00 p.m. and 7:00 a.m., unless such activities are deemed emergency work.

3. Within the City of Newnan's Zoning District Central Business District (CBD), no person shall employ or operate any sustained or amplified sound between the hours of 10:00 p.m. to 7:00 a.m.

(d) *Exception.* The foregoing shall not apply to advertisements of athletic contests or announcements thereof authorized upon a permit issued by the chief of police or to duly authorized emergency vehicles responding to an emergency call or incident.

Section 2. All Ordinances or parts of Ordinances in conflict or inconsistent with this Ordinance are hereby repealed except that the noise restrictions set out in Chapter 3, Alcoholic Beverages, of the Code of Ordinances shall not be repealed.

Section 3. Should any phrase, clause, sentence, or section of this Ordinance be deemed unconstitutional by a Court of competent jurisdiction, such determination shall not effect the remaining provisions of this Ordinance, which provisions shall remain in full force and effect.

Section 4. The effective date of this Ordinance shall be upon adoption.

December 11, 2017 at 10:00 pm
CBEJ

DONE, RATIFIED and PASSED, by the City Council of the City of Newnan,
Georgia, this the 28 day of November, 2017 in regular session
assembled.

ATTEST:

Della Hill
Della Hill, City Clerk

L. Keith Brady
L. Keith Brady, Mayor

Cynthia E. Jenkins
Cynthia E. Jenkins, Mayor Pro-Tem

Reviewed:

C. Bradford Sears, Jr.
C. Bradford Sears, Jr., City Attorney

George M. Alexander
George M. Alexander, Councilmember

Cleatus Phillips
Cleatus Phillips, City Manager

Rhodes Shell
Rhodes Shell, Councilmember

Ray D. Bose
Ray D. Bose, Councilmember

Clayton Hicks
Clayton Hicks, Councilmember

Dustin Koritko
Dustin Koritko, Councilmember

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