

STATE OF GEORGIA,
COUNTY OF HARRIS.

**AN ORDINANCE TO REGULATE
OUTDOOR ENTERTAINMENT**

AN ORDINANCE OF THE HARRIS COUNTY BOARD OF COMMISSIONERS TO AMEND CHAPTER 5 (PUBLIC SAFETY, HEALTH & SANITATION), ARTICLE V (OUTDOOR ENTERTAINMENT), OF THE HARRIS COUNTY CODE OF ORDINANCES; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEPARABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HARRIS COUNTY, GEORGIA AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION 1: AMENDMENT

Chapter 5, Article V. Outdoor Entertainment, Section 5-141 Definitions, is amended by deleting the fourth paragraph, beginning with “Excluding”, in its entirety and substituting in lieu thereof the following:

Excluded from the definition of entertainment herein is (1) any music played over an installed music system solely during the dining of customers in a restaurant and played at a level less than normal conversation; (2) any music or noise at private, social functions such as wedding receptions, barbeques and the like; (3) any music or noise from any school events or school athletics; (4) any noise or music from the use of any public property; (5) any noise or music from non-profit, religious or charitable organizations conducting annual events, or occasional fund-raising events; (6) any noise or music from political rallies or meetings; (7) any noise or music from occasional or periodic commercial sales promotions; (8) any noise or music from seasonal holiday related events for which the main attraction or draw thereof is not musically related; and (9) amplified vocal and non-amplified acoustical musical instruments which do not exceed 70 decibels when measured at a distance of 100 feet from the termination of any area included in the definition of “outdoor”; such exclusion shall be valid until 9:00 PM Sunday through Thursday, and until 11:00 PM Friday and Saturday; and at no time will such an exclusion be effective prior to 10:00 AM.

SECTION 2: UNCONSTITUTIONALITY

If any part of this ordinance shall be deemed to be unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment and the remainder thereof shall remain in full force and effect.

SECTION 3: REPEALER

All laws, ordinances, resolutions or parts thereof which conflict with this ordinance are hereby

repealed.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective upon its approval by the Board of Commissioners of County of Harris.

INTRODUCED AND READ: _____ September 3, 2013 _____

ADOPTED/REJECTED: _____ September 3, 2013 _____

HARRIS COUNTY BOARD OF COMMISSIONERS

/s/ J. Harry Lange, Chairman

/s/ Becky Langston, Commissioner

/s/ Joey M. Loudermilk, Vice-Chairman

/s/ Jim Woods, Commissioner

/s/ Charles Wyatt, Commissioner

Attest:

/s/ Nancy D. McMichael, County Clerk