

**AN ORDINANCE AMENDING CHAPTER 24, TITLED “OFFENSES
AND MISCELLANEOUS PROVISIONS ” OF THE WAYNE COUNTY
CODE OF ORDINANCES**

WHEREAS, The Wayne County Board of Commissioners are the local governing authority for Wayne County and are responsible for adopting ordinances that are in the best interest for the citizens of Wayne County; and

WHEREAS, Wayne County desires to amend their Code of Ordinances so as to better protect public health and safety through establishing reasonable standards for Noise in Wayne County; and

NOW, THEREFORE, BE IT ORDAINED by the WAYNE COUNTY BOARD OF COMMISSIONERS as follows:

CHAPTER 24- OFFENSES AND MISCELLANEOUS PROVISIONS, shall be amended, to add Article III, titled Noise, as follows:

ARTICLE III-NOISE

Section 24-35– Prohibited noises specified.

- (a) The creating of any unreasonably loud, disturbing and unnecessary noise within the limits of Wayne County 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. In addition, at any time between 9:00 p.m. and 7:00 a.m. Sunday through Thursday and 11:00 p.m. Friday night and Saturday night and 9:00 a.m. Saturday and Sunday, it shall be deemed a violation of this section if any noise regulated or prohibited under the provisions of this section is readily audible in another home, residence, apartment or building in which the usual openings such as windows and doors are closed. The person causing the noise, or the owner, lessee or other person in control of the property from which the noise is emanating shall be deemed to be in violation of this section.

- (b) **Penalty**--It shall be unlawful and punishable as provided in Chapter 1, Section 1-11, General Penalties, for any person within the unincorporated areas of the county to violate any of the provisions of this article.
- (c) 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, 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; the creation by means of any such signal device of any unreasonably loud or harsh sound or the sounding of such device for an unnecessary or unreasonable period of time.
- (2) **Musical instruments.** The playing of any radio, television, or other audio device or any musical instrument in such a manner or with such volume, 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 7:00 a.m. and 10:00 p.m.
- (3) **Voices.** Yelling, shouting, hooting, whistling or singing 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. The provisions of this section shall also apply to voices or other noise originating within a building or residence and to noise produced by animals such as dogs, cats or others, whether housed in a building or an open enclosure, and if the noise continues steadily or intermittently during a period in excess of ten minutes in any one day or night. In the case of animals, the owner or person in immediate control of the property on which the animal is housed shall be deemed responsible. In the case of noise emanating from a residence or apartment, the owner, lessee, renter or other person deemed to be in immediate control of the home, apartment or building shall be deemed to be responsible. It shall be deemed a violation of this section if the noise, caused by persons or animals is readily audible in any nearby home, apartment, building or other

structure when its natural openings such as doors and windows are closed.

- (4) *Noisy vehicles.* The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such 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 or county authority.
- (6) *Exhausts.* To discharge into the open air the exhaust of any stationary steam engine, 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 excavation, 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 7:00 a.m. and 10:00 p.m. on weekdays, except in the cases of urgent necessity and then only when a permit from the Wayne County Building Inspector or his designee, which permit may be granted for a period not to exceed 60 days while the emergency continues. If the Wayne County Building Inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building, or the excavation of streets and highways within the hours of 10:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, the Wayne County Building Inspector may grant permission for such work to be done within the hours of 10:00 p.m. and 7:00 a.m., upon application being made at the time the permit for work is awarded or during the progress of the work.
- (8) *On streets of institutions requiring quiet.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while they 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, except that this section shall not prohibit their use between the hours of 7:00 a.m. and 10:00 p.m.
- (10) ***Garbage dumpsters.*** The loading, unloading, opening, closing, lifting or otherwise handling of dumpsters or other garbage containers between the hours of 10:00 p.m. and 7:00 a.m., when the sound therefrom disturbs the quiet, comfort or repose of persons in any house, apartment, hotel or other type of property used for human habitation.
- (11) ***Fireworks.*** With the exception of the issuance of a special use permit, and the dates of January 1, July 3, July 4, and December 31, it shall be unlawful for any person, firm, corporation, association, partnership, or the like to use, ignite, explode, or cause to be detonated any consumer fireworks as defined in O.C.G.A. § 25-10-1 during the hours of 9:00 pm and 11:59 pm. On January 1, July 3, July 4, and December 31, pursuant to state law, the use of consumer fireworks shall be authorized during the hours of 10:00 am to 11:59 pm. In addition, on January 1, pursuant to state law, the use of fireworks shall be authorized from 12:00 midnight to 1:00 am. All use of consumer fireworks must be done accordance with the laws of the State of Georgia (see Title 25 Chapter 10 of the Official Code of Georgia Annotated).
- (d) None of the foregoing terms or prohibitions shall apply to or be enforced against:
- (1) Any vehicle of Wayne County while engaged upon necessary public business;
 - (2) Excavations or repairs of bridges, streets or highways, by or on behalf of Wayne County, State of Georgia, United States of America, during the night season, when the public welfare and convenience renders it impossible to perform such work during the day; nor shall such prohibitions apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefore;
 - (3) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

- (e) The prohibitions shall not be applicable to any parade, celebration, or performance for which a written permit has been obtained prior thereto from the Wayne County Sheriff.**
- (f) During sanctioned events or in the ordinary course of business, the prohibitions shall not be applicable to any lands owned, leased to or by, or operated by Wayne County, the Cities of Jesup, Odum, or Screven, the Wayne County Board of Education.**
- (g) The prohibitions shall not be applicable to any business, corporation, or industry with at least 10 employees and operating in the normal course of business.**
- (h) 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 streets, sidewalks, parks or other public places of Wayne County before 7:00 a.m. and after 10:00 p.m., provided, that nothing in this section shall apply to the United States of America, the state, Wayne County, or to public agencies.**

SIGNATURE PAGE TO FOLLOW ON NEXT PAGE

END.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SO ORDAINED, this 6th day of November, 2023.


KEVIN MCCRARY, Chairman


MIKE GORDON, Commissioner


TIM HOPKINS, Commissioner


JAMES "BOOTS" THOMAS, Commissioner


JAMIE HICKOX, Commissioner

Attest:


AMANDA HANNAH, County Clerk