

ORDINANCE NO. 100

An Ordinance to provide for the regulation of loud, disturbing or unnecessary noises in the City of Gardendale, Alabama, and providing penalties for violations.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDENDALE, ALABAMA AS FOLLOWS:

Section One: Jurisdiction:

This Ordinance shall be in force and effect in the corporate limits of the City of Gardendale, Alabama, and within the police jurisdiction thereof.

Section Two: Penalty for Violation:

Any person who violates any provisions of this ordinance or does any act made unlawful by this ordinance shall upon conviction be punished by a fine not exceeding \$100.00 or by imprisonment in the City Jail, work house or house of correction or at hard labor upon the streets or public work for not exceeding six months, or by both such fine and imprisonment.

Section Three: Illegal Noises:

It shall be unlawful for any person to make or cause to be made any unreasonably loud, disturbing or unnecessary noise in the City of Gardendale, Alabama. It shall also be unlawful for any person to permit any such noise to be made in or upon any house or premises owned or possessed by him or under his management or control. The following acts, among others, are declared to be loud, disturbing or unnecessary noises in violation of this section but said enumeration shall not be deemed to be exclusive, namely:

A. Blowing horns. The sounding of any horn or signal device on any automobile, motor cycle, bus or other vehicles, except as a danger signal when and as required by ordinances of the city or by the laws or regulations of the State of Alabama; the creation by means of any such signal device of any unreasonable, loud or harsh sound; and the sounding of such device for an unnecessary or unreasonable period of time. The provisions of this section regulating the sounding of a horn or signal device on vehicles shall not apply to authorized emergency vehicles which the driver of such vehicle is operating the same in an emergency in the necessary performance of public duty and when the sounding of such horn or signal device is made as a warning or danger signal.

B. Pets. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any ordinary person in the vicinity.

C. Blowing 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 danger.

D. Unmuffled engine exhausts. The discharging into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine, except through muffler or other device which will effectively prevent the emission of loud or explosive noises therefrom.

E. Peddlers. The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

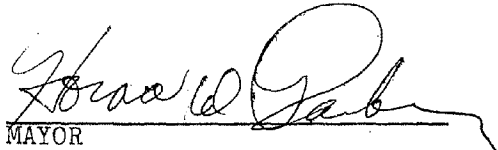
F. Use of noise-makers for advertising purposes. The use of any drum, pan, pail, bell, horn, trumpet, loud-speaker or other instrument or device for the purpose of attracting the attention or intended to attract attention to any performance, show or sale or display of merchandise or for any other advertising purposes without first obtaining a permit from the City Council.

G. Calliopes or amplifiers on vehicles. The use of calliopes, mechanical loud-speakers or amplifiers on any vehicles used for advertising or other purposes, except when a permit for such use over a specified route is issued by the city clerk with prior Council approval, and except within the times specified in said permit.


H. To permit, cause or allow any outside speaker or other device to be attached to any music machine which is designed to or does carry the sounds of music emanating from said machine to a public street.

This ordinance shall be effective on the 26th day of August 1965.

Adopted and approved this 19th day of August 1965.


MAYOR

ATTESTED:


City Clerk