

ORDINANCE NO. 7709

AN ORDINANCE TO AMEND THE AUGUSTA, GEORGIA CODE, TITLE 3, CHAPTER 6, NOISE, SECTION 3-6-2 (b and d): PROHIBITED NOISE ENUMERATED; SO AS TO AMEND THE HOURS THAT NOISE CREATED BY RADIOS, PHONOGRAPHS, SIMILAR DEVICES AND SINGING, AT THE OLMSTEAD STADIUM, 78 MILLEDGE ROAD, IS PROHIBITED; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

NOW, BE IT ORDAINED BY THE AUGUSTA, GEORGIA COMMISSION AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME, THE NOISE ORDINANCE IS AMENDED AS IT APPLIES TO THE OLMSTEAD STADIUM, 78 MILLEDGE ROAD AS FOLLOWS:

SECTION 1. Title 3, Chapter 6, NOISE, Sections 3-6-2 (b and d), are hereby amended by deleting these sections in their entirety, AND new Sections 3-6-2 (b and d), are hereby inserted to replace the repealed sections as set forth in "Exhibit A" hereto.

SECTION 2. This ordinance shall become effective upon adoption.

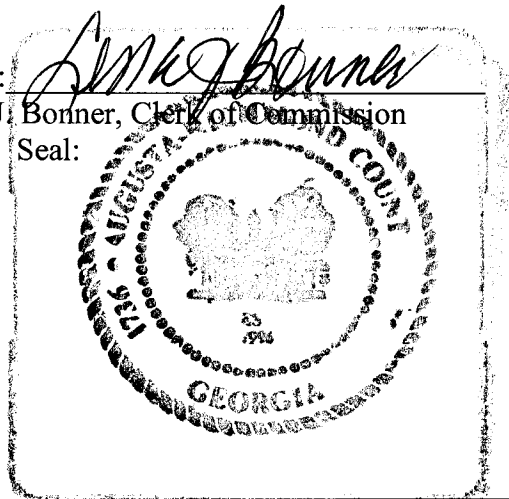
SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 19<sup>th</sup> day of March, 2020.

*H. D.*

Hardie Davis, Jr.  
As its Mayor

Attest: *Lena J. Bonner*  
Lena J. Bonner, Clerk of Commission  
Seal:



CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on \_\_\_\_\_, 2020 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

\_\_\_\_\_  
Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: \_\_\_\_\_

First Reading: March 3, 2020

Second Reading: March 19, 2020

## "EXHIBIT A"

### NOISE

#### **Sec. 3-6-2. Prohibited noises enumerated.**

The following acts are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but this enumeration shall not be deemed to be exclusive:

(b) *Radios, phonographs, similar devices.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a manner as to disturb the comfort, health, peace or safety of reasonable neighboring inhabitants of ordinary sensibilities. The operation of any set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be a prima facie evidence of a violation of this section, except in the Entertainment Zone as defined in Augusta, Georgia Code Section 3-8-11.2(e) in which the operation of any set, instrument, phonograph, machine or device between the hours of 12:00 Midnight and 7:00 a.m. in manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be a prima facie evidence of a violation of this section.

(d) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence, or of any persons in the vicinity; and in the Entertainment Zone as defined in Augusta, Georgia Code Section 3-8-11.2(e) in which yelling, shouting, hooting, whistling or singing on the public streets, particularly between the applicable hours of 12:00 Midnight and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence, or of any persons in the vicinity.

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