

DIVISION 2. - NOISE^[4]

Footnotes:

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State Law reference— *Disorderly conduct, V.T.C.A., Penal Code § 42.01.*

Sec. 13-71. - Exemptions.

Bells and music boxes used on vehicles of ice cream vendors and similar vendors to attract children as patrons are exempt from operation of this division, except that such bells and music boxes may not be used between the hours of 12:30 p.m. and 3:00 p.m., and provided further that when used the bells and music boxes are not to be operated so loudly as to be offensive to the ordinary sensibilities of the inhabitants of the city and interfere with public peace and comfort, or make the enjoyment of life or property uncomfortable.

(Code 1966, § 13-53)

Sec. 13-72. - Interfering with peace and comfort of public.

It shall be unlawful for any person to make or cause to be made any unreasonably loud, disturbing and unnecessary noise in the city which is offensive to the ordinary sensibilities of the inhabitants of the city, which noise renders the enjoyment of life or property uncomfortable, or interferes with public peace and comfort.

(Code 1966, § 13-49)

Sec. 13-73. - Loud and unnecessary noise prohibited.

It shall be unlawful for any person to make or cause to be made any unreasonably loud, disturbing and unnecessary noise in the city.

(Code 1966, § 13-50)

Sec. 13-74. - Detrimental to life or health of persons.

It shall be unlawful for any person to make, or cause to be made, noise of such character, intensity and duration as to be detrimental to life or health of any individual in the city.

(Code 1966, § 13-48)

Sec. 13-75. - Acts which create loud, disturbing, etc., noise enumerated.

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

- (1) 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, as may be required by state law, if another vehicle is backing, starting or turning in such a way as likely to cause a collision.
- (2) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while in motion, except as a danger signal, as required by state law.
- (3) The playing of any radio, television set, phonograph, or musical instrument in such a manner, or with such volume, as to disturb the peace, quiet, comfort or repose of persons in any dwelling, apartment, hotel or other type of residence.
- (4) The keeping of any animal or fowl which emits or makes an unreasonably loud, disturbing and unnecessary noise.
- (5)

The use of any automobile, motorcycle, or other vehicle so out of repair, or so loaded, which emits or creates loud or unnecessary grating, grinding or rattling noise.

- (6) 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.
- (7) The discharge into the open air of the exhaust from any stationary steam engine or stationary internal combustion engine, except through a muffler or other device which will effectively and efficiently prevent loud or unusual noises, annoying smoke, and the escape of gas or steam.
- (8) The discharge into the open air of the exhaust from any motor vehicle except through a muffler, or other device, which will effectively and efficiently prevent loud and unusual noises and annoying smoke.
- (9) The erection, including excavation, demolition, alteration or repair, of any building in a residential district, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in the case of urgent necessity or in the interest of public safety, for which a permit shall be obtained from the city manager's office.
- (10) The creation of any unreasonably loud, disturbing and unnecessary noise on any street adjacent to any school, or court, which is in session, or adjacent to any hospital; provided that conspicuous signs are located in such streets indicating that schools, hospitals and courts are adjacent thereto.
- (11) The creation of unreasonable, loud, disturbing and unnecessary noises in connection with the loading or unloading of any vehicle, or the opening and destruction of bales, boxes, crates, and containers, or the sounding of any bell or gong attached to any building located on any premises which disturbs the quiet or repose of persons occupying adjoining property or those occupying property across any street or alley within a 200-foot radius. A church is within its rights in ringing its bells as a summons to worship or for other suitable purposes, but an indiscriminate ringing of bells which disturbs the peace of the neighborhood will be enjoined.
- (12) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.
- (13) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noises to any performance, show, sale or display of merchandise as to attract customers to any place of business.
- (14) The use of mechanical loudspeakers or amplifiers on trucks or other moving vehicles for the purpose of advertising any show, sale or display of merchandise, or any other purpose.

(Code 1966, § 13-51; Ord. No. 3600, § 1, 4-9-07)

Sec. 13-76. - Use of bell, siren or exhaust whistle on vehicles prohibited.

It shall be unlawful for any vehicle to be equipped with, or for any person to use upon a vehicle, any bell, siren, compression or exhaust whistle, except that vehicles operated in the performance of duty by law enforcement officers, fire departments and ambulances may attach and use a bell, siren, compression or exhaust whistle.

(Code 1966, § 13-52)

Secs. 13-77—13-95. - Reserved.