

9.08.080 - Noise—Radios and mechanical musical instruments—Penalties.

A. It shall be unlawful for any person to maintain and operate in the city any radio device or mechanical musical instrument, the sound wherefrom is cast directly upon a public street or place, where such device is maintained and operated for advertising purposes or for the purpose of attracting attention of the passing public, or where such device is so placed and operated that the sound coming therefrom can be heard to the annoyance or inconvenience of travellers upon any street or public place in the city. The use of radio for broadcasting: (1) athletic contests, (2) church services, (3) public addresses and (4) election returns shall not be affected by the provisions of this section, excepting that reasonable care shall be used in operating such devices. **During the week preceding Christmas each year, radio broadcasting devices used for broadcasting Christmas music from any building shall not be affected by the provisions of this section; provided, that a written permit is granted by the board of license commissioners of the city.** The use of radio broadcasting devices or mechanical musical instruments contrary to the provisions of this section shall require the written approval of a majority of the members of the board of license commissioners.

B. Each separate violation of this section shall constitute a separate offense and the fine for each separate offense shall be in the amount of one hundred dollars.

(Ord. 1981-194: prior code Ch. 13, § 43)

9.08.090 - Noise—Operation of plant or machinery—Restrictions—Permit.

No person operating a plant or machinery, the operation of which is excessively noisy and disturbing to the reasonable peace and quiet of the proximate neighborhood, shall operate the same or cause the same to be operated in the city before the hour of seven a.m. or after the hour of six p.m. of any day without a permit therefor first having been obtained from the chief of police.

The chief of police, in using his discretion in the issuance of such permit, shall take into consideration the emergency of the occasion and the reasonable necessity, the emergency considered, of such operation upon any day or days after the hour above set. The permit may cover a day or a period of days.

No person operating a plant or machinery that is adjacent to residential property shall operate machinery which is noisy and disturbing to the residents between the hours of five p.m. to eight a.m. without a permit therefor first having been obtained from the chief of police.

(Prior code Ch. 13, § 44)