

Section 9.30.030 - Disturbing the peace.

- A. It is unlawful for any person to commit a breach of the peace.
- B. For purposes of this section, "breach of the peace" means:
  - 1. Making or producing unreasonably loud noise, except for musical or oratory events sanctioned by a governmental or private entity as part of a governmental event or a permitted, controlled special event.
  - 2. A violent outburst coupled with violence or threats of violence against any person.
  - 3. Speaking words or phrases that constitute "fighting words" whose very utterance tends to provoke an immediate violent reaction in the listener. Profanity does not constitute "fighting words" unless coupled with other facts and circumstances which reasonably show that the combination of profanity and the other words or conduct are likely to provoke an immediate and violent reaction in the listener.
  - 4. Fighting, except in self-defense to a battery wholly instituted by another person.
  - 5. Challenging another person to fight.
  - 6. Threatening any person with violence or use of force.
- C. For purposes of this section, "unreasonably loud noise" means noise of a volume that:
  - 1. A reasonable person of ordinary hearing and sensibilities would find extremely distressful or painful to the senses; or
  - 2. Prevents a reasonable person of ordinary hearing and sensibilities situated five (5) feet from the source of the noise from hearing and deciphering music, oratory or other entertainment presented in a private business or a public place.

(Ord. 2364, Amended, 06/11/2007)

Section 10.60.215 - Excessive amplified sounds from motor vehicles prohibited.

- A. It is unlawful for any person, while parked or operating a motor vehicle on a highway, street or alley, to create or allow noise to emanate from an electronic amplification device within or upon the motor vehicle which is plainly audible by a person having normal hearing at a distance of 25 feet or more from the source.
- B. For purposes of this section, "Electronic Amplification Device" means a radio, stereo, audiotape, CD, DVD, or any other device for electronically amplifying pre-recorded music, voices, words or data.
- C. For purposes of this section, "noise" means music, words or other sounds, or sounds that cause a person to be aware of vibration or concussion accompanying the sound.
- D. This section does not apply to authorized emergency vehicles or noise created by emergency alarms or anti-theft alarms.

(Ord. 2442, Add, 09/13/2010)