

ORDINANCE NO. 631

AN ORDINANCE Amending Chapter XI, Article 2, Section 11-203 Relating to Unlawful Noise and Specific Noises Prohibited and Standards and repealing Ordinance No. 502, Section 3, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

WHEREAS, the Governing Body of the City of Arma, Kansas, has determined that it is necessary to modify the local regulation regarding noise, specifically prohibiting certain noises.

NOW THEREFORE, be it ordained by the Governing Body of the City of Arma, Kansas.

Section One: The current provisions in Chapter XI, Article 2, Section 11-203 of the Code of the City of Arma, Kansas 2007 and Ordinance No. 502, is hereby deleted and repealed.

Section Two: The following provisions are substituted and adopted as Article XI, Section 11-203 of Chapter XI of the Code of the City of Arma, Kansas 2007 and Ordinance No. 502, Section 3.

11-203 Shall be amended as follows:

11-203. SAME; SPECIFIC NOISES PROHIBITED; STANDARDS. The following acts, among others, are declared to be loud, excessive and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive, namely:

- (a) The playing, using, operating, or permitting to be played, used or operated, any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, repose, and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the residence, office, or vehicles, or upon the premises, in which such machine or devise is operated. The operation of any such set, instrument, phonograph, machine or device between the hours of ten (10) o'clock P.M. to seven (7) o'clock A.M. Sunday through Thursday and twelve (12) o'clock A.M. to seven (7) o'clock A.M. Friday through Saturday in such a manner as to be plainly audible at a distance of one hundred (100) feet from the residence, office, premises or vehicle in or on which it is located shall be prima facie evidence of a violation of this section.
- (b) Yelling, shouting, whistling or signing on the public streets, alleys or sidewalks, or while on a private or public parking area or parking lot so as to annoy or disturb the peace, quiet, comfort or repose of the persons in any residence, premises, office or hotel. Such yelling, shouting, hooting, whistling or singing between the hours of ten (10) o'clock P.M. Sunday through Thursday and twelve (12) o'clock

A.M. Friday through Saturday in such a manner as to be plainly audible at a distance of one hundred (100') feet from the boundary of said street alley, sidewalk, parking area or parking lot shall be prima facie evidence of a violation of this section.

Section Three: Any and all ordinances or parts of ordinances in conflict with the terms hereof are hereby repealed or considered as having no effect.

PASSED AND APPROVED by this Governing Body on this _____ day of _____, 2020.

Rock Anderson, MAYOR

ATTEST:

Bette Lessen, City Clerk

(SEAL)