

CHAPTER 10
SECTION 2: EXCESSIVE NOISE
(ORDINANCE 08/05/1997)

A. NOISE.

1. The creating of any unreasonably loud, disturbing and unnecessary noise within the unincorporated areas of Wilkinson County is prohibited. Noise of such character intensity or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.

B. ACTS OR CONDUCT DECLARED TO CONSTITUTE EXCESSIVE NOISE.

1. The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive:
 - a. *Horns.* 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 if another vehicle is approaching apparently out of control, or, if in motion, only as a danger signal; the creation by means of any such signal device of any unreasonably loud or harsh sound or the sounding of that device for an unnecessary or unreasonable period of time.
 - b. *Radios, musical instruments.* The playing of any radio, phonograph, or music, or voice by any device, or any musical instrument in such a manner or with such volume, or at any time as to annoy, or particularly during the hours between 12:00 midnight and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence, or any persons in the vicinity, except this section shall not apply to schools of music between the hours of 7:00 am. and 10:00 p.m.
 - c. *Voices.* Yelling, shouting, hooting, whistling or singing on the public roads, particularly between the 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 hospital, dwelling, hotel or other type of residence, or any persons in the vicinity.
 - d. *Noisy vehicles.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in any manner as to create loud and unnecessary grating, grinding or rattling, or other noise.
 - e. *Exhausts.* To discharge into the open air the exhaust of any stationary steam engine, stationary internal combustion engine, motor vehicle or motorboat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
 - f. *Construction work.* The erection (including excavating), demolition, alteration or repair of any building in any residential district or section, the excavation of public roads in any residential district or section, other than between the hours

of 7:00 a.m. and 6:00 p.m. on weekdays except in cases of urgent necessity, and then only with a permit from the county, which permit may be granted for a period not to exceed sixty (60) days while the emergency continues.

- g. *On public roads of institutions requiring quiet.* The creation of any excessive noise on any public road adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof.
- h. *Loudspeakers on vehicles.* The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.
- i. *Animals, birds.* The keeping of any animal or bird which shall disturb the comfort or repose of any persons in the vicinity by making long, continual or frequent noise.

C. EXCEPTIONS/EXEMPTIONS.

- 1. None of the foregoing terms or prohibitions shall apply to or be enforced against:
 - a. Any vehicle of the county while engaged in necessary public business;
 - b. Excavations or repairs of bridges, roads or highways by or on behalf of the city, county or state during the night, when the public welfare and convenience renders it impossible to perform that work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances or when there is urgent necessity therefore; and
 - c. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

D. PARADES.

- 1. The prohibitions shall not be applicable any parade, celebration or performance for which a written permit has been obtained prior thereto from the city or county clerk, or any state authority.

E. SOUND TRUCKS.

- 1. It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the public roads, sidewalks, parks or other public places of the county; provided, that nothing in this section shall apply to the United States of America, the state, the county, the city, public agencies or persons granted a permit for such purposes by the county and city.

F. VIOLATIONS OF THIS ORDINANCE.

- 1. The Sheriff of Wilkinson County shall be responsible for enforcement of the provisions of this Ordinance.

2. The Magistrate Court of Wilkinson County shall have jurisdiction for the disposition of any violation of this ordinance. Any person found guilty in such court shall be punished as for a misdemeanor under the general misdemeanor jurisdiction of the Magistrate Court. Any person convicted of a violation of this Ordinance shall be punished by a fine not to exceed \$500.00 or 30 days confinement, or both, within the discretion of the Court.