

ORDINANCE NO. 1287

AN ORDINANCE DECLAIRING IT UNLAWFUL FOR ANY PERSON TO MAKE, CONTINUE, OR CAUSE TO BE MADE OR CONTINUED, ANY LOUD OR EXCESSIVE NOISE WHICH UNREASONABLY INTERFERE WITH THE COMFORT, HEALTH OR SAFETY OF OTHERS WITHIN THE JURIDISDICTION OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The following specific acts are declared to be in violation of this ordinance:

(a) It is hereby declared a nuisance and shall be unlawful to operate or play any radio, musical instrument or similar device, whether from a motor vehicle or by a pedestrian, in such a manner as to be plainly audible to any person other than the player or operator of the device at a distance of five (5) feet in the case of a motor vehicle or ten (10) feet in the case of a pedestrian.

(b) It is hereby declared a nuisance and shall be unlawful to operate or play any radio, television, phonograph, musical instrument or similar device which produces or reproduces sound, whether from a business or residence, in such a manner as to be plainly audible at a distance of fifty (50) feet to any persons in a commercial, residential, multi-family dwelling or public place.

SECTION 2. Violation of this ordinance shall be punishable by a fine not to exceed Two Hundred (\$200.00) Dollars.

SECTION 3. Nothing in this ordinance shall be construed to prohibit special performances by a band or orchestra in a hall, building, or in the open air, after proper permits have been obtained from the City of Cullman.

SECTION 4. Nothing in this ordinance shall be construed to prohibit the ringing of bells or chimes by churches within the City.

SECTION 5. Nothing in this ordinance shall be construed to prohibit noises or sounds produced by radios, sirens or other equipment attached to, or being operated by, any police, fire, rescue or other emergency vehicles or personnel.

SECTION 6. Nothing in this ordinance shall be construed to prohibit the conducting of live remote broadcasts by duly licensed radio or television stations upon business premises, at the request of the owner of the business. Said live remote broadcasts shall be limited to daylight hours only.

SECTION 7. Each violation of this ordinance shall be a separate offense.

SECTION 8. This ordinance shall become effective upon its adoption as provided by law.

SECTION 9. The provisions of this ordinance shall be included and incorporated into the Code or Ordinances of the City of Cullman as an addition or amendment thereto, and shall be numbered to conform to the numbering system of the Code.

ADOPTED this the 28th day of April, 1997

John Knight
President of the City Council

Attest:

Lucille N Galin
City Clerk

Transmitted to the Mayor this the 28th day of April 1997

Lucille N Galin
City Clerk

APPROVED this 28th day of April, 1997.

Jack Sides
Mayor