

O R D I N A N C E NO. 7-94-1

BE IT ORDAINED BY the City of Abbeville, Alabama, as follows:

It shall be unlawful for any person to make, continue, or cause to be made or continued any loud or excessive noise which unreasonably interferes with the comfort, health, or safety of others within the jurisdiction of the city.

In addition to the general prohibition set out above, the following specific acts are declared to be in violation of this article:

(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 feet (5') in the case of a motor vehicle or ten feet (10') 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 a residence, in such a manner as to be plainly audible at a distance of fifty feet (50') to any person in a commercial, residential, multi-family dwelling, or public place.

(c) Violation of this section shall be a violation and punishable by a fine not to exceed Two Hundred Dollars (\$200.00).

(d) Nothing in this section shall be construed to prohibit special performances by a band or orchestra, civic meetings or religious meetings, in a hall, building, or in the open air after proper permits have been obtained from the Chief of Police; however, no such event shall be held between the hours of 10:00 p.m. and 7:00 a.m..

(e) Nothing in this section shall be construed to prohibit the ringing of bells or chimes by churches within the city.

(f) Nothing in this section shall be construed to prohibit any 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.

(g) Nothing in this section shall be construed to prohibit the conducting of live, remote broadcasts by duly licensed radio stations upon business premises, at the request of the owner of the business. Said live remote broadcasts shall be limited to daylight hours only.

(h) Each violation shall be a separate offense.

(i) The provisions of this ordinance are severable. If any part of this ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.


(j) The provisions of this ordinance shall become effective immediately upon its passage and approval as provided by law.

ADOPTED this the 7th day of July, 1994.

CITY OF ABBEVILLE, ALABAMA, A
MUNICIPAL CORPORATION

BY: Jimmy Crawford
JIMMY C. CRAWFORD, MAYOR

ATTEST:


CITY CLERK