

ORDINANCE NO. 10-02

TITLE: AN ORDINANCE DECLARING 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 JURISDICTION OF THE TOWN OF EVA, ALABAMA

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EVA, 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 Town of Eva.

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

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.

ADOPTED this the _____ day of _____, 2010.

APPROVED:

Mayor

ATTEST:

Town Clerk