

CITY OF RIVERVIEW
ORDINANCE NO. 610

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE ADDITION OF SECTION 38-162 OF ARTICLE V, "OFFENSES INVOLVING PUBLIC PEACE AND ORDER" IN CHAPTER 38, "OFFENSES AND MISCELLANEOUS PROVISIONS" TO ESTABLISH LIMITS ON AMPLIFIED NOISE.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 38-162 "Limits on Amplified Noise" be added to Article V of Chapter 38, "Offenses and Miscellaneous Provisions" to hereafter read as follows:

Sec. 38-162. Limits on Amplified Noise

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Amplified noise, as used in this section, means any noise emanating from any device designed for the amplification of the human voice, music or any other sound, including, but not limited to, any radio, tape or disc player, loud speaker, television, microphone, or any other electrical device used for the amplification of sound.

Plainly audible, as used in this section, means any sound that can be heard by unimpaired auditory senses. Words or phrases need not be discernible and said sound shall include bass reverberation.

- (b) It shall be unlawful for any person to make, aid, or assist in making any amplified noise from any private residence or driveway, or while on any public or private property, or while occupying or operating a motor vehicle on any street, highway or parking lot, subject to the guidelines set forth in subsection (c) and (d) below.
- (c) No amplification device shall be operated in such a manner that it is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such a device shall not be plainly audible by any person other than the operator.
- (d) Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles, for sound emitted unavoidably during job-related activity or for any authorized public activity which the City Council has approved in advance.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a different penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentence, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on October 15, 2007 shall be given a second reading on November 5, 2007, shall be adopted on November 5, 2007 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 5th day of November, 2007.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on November 5, 2007.

Judith A. Bratcher, City Clerk