

ORDINANCE NO. 4937

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE 7.08.050, UNNECESSARY NOISE, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Albany Municipal Code 7.08.050, Unnecessary Noise, is hereby amended to read as follows:

7.08.050 Unnecessary noise. It is unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any loud, disturbing, or unnecessary noise in the city. The following acts are declared to be violations of this section, but such enumerations are not deemed to be exclusive:

(1) The keeping of any animal which by frequent or loud continued noise disturbs the comfort and repose of any person in the vicinity;

(2) The use of any automobile, motorcycle, streetcar, or other vehicle, any engine, stationary or moving instrument, device, or thing so out of repair, so loaded, or operated in such manner as to create loud or unnecessary grating, grinding, rattling, or other noises;

(3) The sounding of any horn or signal device on any automobile, motor cycle, streetcar, or other vehicle on any street or public place of the city, except as a necessary warning or danger to property or person;

(4) The use of any mechanical device operated by compressed air, steam, or otherwise, unless the noise created thereby is effectively muffled;

(5) The erection, including excavation, demolition, alteration, or repair of any building, other than between the hours of seven a.m. and six p.m., except upon special permit granted by the common council;

(6) The use of any gong or siren upon any vehicle other than police, fire, or other emergency vehicle;

(7) The operation of any gasoline engine without having the same equipped with and using thereupon a muffler;

(8) The use of "muffler cutout" on any motor vehicle upon any street;

(9) The use or operation of any automatic or electric piano, phonograph, radio, loud speaker, or any sound amplifying device so loudly as to disturb persons in the vicinity thereof or in such manner as renders the same a public nuisance; provided, however, that upon application to the city manager permits may be granted to responsible persons or organizations to broadcast programs of music, news, speeches, or general entertainment;

(10) The conducting, operating, or maintaining of any garage within one hundred feet of any building used as a private residence, apartment house, rooming house, or hotel in such a manner as to cause loud or offensive noises to be emitted therefrom between the hours of ~~eleven~~ ten p.m. and seven a.m.

The foregoing acts are declared nuisances and any person violating any of the provisions of this section shall be deemed guilty of an offense.

Section 2. Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by Council: October 24, 1990

Approved by Mayor: October 25, 1990

Effective Date: October 24, 1990



Mayor

ATTEST:

Debbie Andrews
Deputy City Recorder