

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 145

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, MAKING IT UNLAWFUL TO MAKE OR CAUSE TO BE MADE ANY LOUD AND RAUCOUS NOISE IN THE CITY WHICH IS OFFENSIVE TO THE ORDINARY SENSIBILITIES OF THE INHABITANTS OF THE CITY, WHICH NOISE RENDERS THE ENJOYMENT OF LIFE OR PROPERTY UNCOMFORTABLE OR INTERFERES WITH PUBLIC PEACE AND COMFORT; ESTABLISHING CERTAIN ACTS THAT ARE DEEMED LOUD AND RAUCOUS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS:

**SECTION 1. NOISES INTERFERING WITH ENJOYMENT OF PROPERTY OR PUBLIC PEACE AND COMFORT.**

No person shall make or cause to be made any loud and raucous noise in the City which is offensive to the ordinary sensibilities of the inhabitants of the City, which noise renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort. ()

**SECTION 2. SPECIFIC ACTS DEEMED LOUD AND RAUCOUS**

The following acts, among others, are declared to create loud and raucous noises, and shall be deemed a violation of this ordinance, but such enumeration shall not be deemed to be exclusive:

- A. The sounding of any horn or signal device on any automobile, motorcycle, other vehicle, except as a danger signal, as required by state law. ()
- B. The playing of any radio, phonograph, or musical instrument in such a manner, or with such volume as to disturb the peace, quiet, comfort, or repose of persons in any dwelling or other type of residence or business. ()
- C. The keeping of any animal or fowl which emits or makes a loud, raucous noise. ()

- D. The use of any automobile, motorcycle, or other vehicle so out of repair or so loaded, which emits or creates loud grating, grinding or rattling noise or a vehicle that discharges exhaust into the open air except through a muffler, or other device, which will effectively and efficiently prevent loud and raucous noises.. ()
- E. The operation of or racing of any automobile, motorcycle, off-road vehicle, go-cart, or other vehicle, in a continuous manner across or on private or public property. ()
- F. The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of the neighborhood. )
- G. The use of any drum or other instrument or sound amplifying equipment for the purpose of attracting attention by the creation of noise, to any performance, show, sale or display of merchandise as to attract customers to any place of business. ()
- H. The use of mechanical loudspeakers or sound amplifiers on trucks or other moving vehicles for the purpose of advertising any show, sale or display of merchandise. ()

**SECTION 3. USE OF BELL, SIREN, COMPRESSION OR EXHAUST WHISTLE ON VEHICLES**

No vehicle shall be equipped with and no person shall use upon a vehicle any bell, siren, compression or exhaust whistle, except that vehicles operated in the performance of duty by law enforcement officers, fire department and ambulances may attach and use a bell, siren, compression or exhaust whistle. ()

**SECTION 4 REPEALING CLAUSE.**

All parts of ordinances, inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5. SEVERABILITY CLAUSE.**

If any article, paragraph or subdivision, clause or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

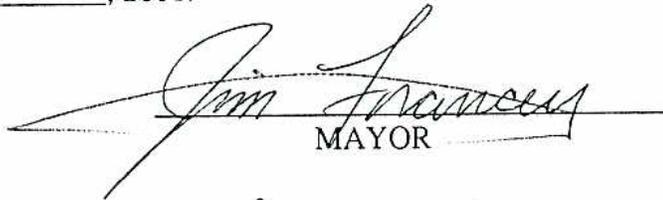
SECTION 6. **PENALTY CLAUSE.**

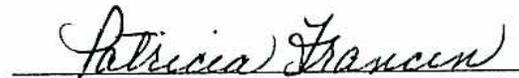
Any person firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, and each day that a violation occurs or continues constitutes a separate offense.

SECTION 7. **EFFECTIVE DATE.**

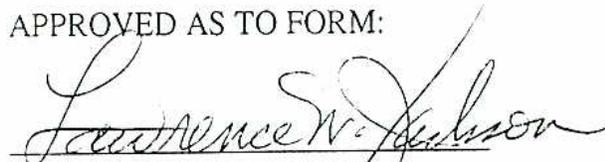
This ordinance shall take effect immediately after its passage and publication of its caption as the law in such cases provides.

DULY ADOPTED by the City Council of the City of Lowry Crossing, Texas, on the 14 day of August, 2001.

  
MAYOR

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY