

ORDINANCE NO. 97-003

AN ORDINANCE OF THE TOWN OF ASHVILLE, ALABAMA AS FOLLOWS:

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

SECTION 1

(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 other 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 in a hall, building, or in the open air after proper permits have been obtained thru the Town Clerk.

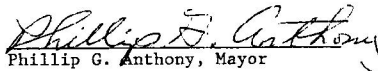
(e) Nothing in this section shall be construed to prohibit the ringing of bells or chimes by Churches with the Town.

(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.

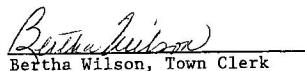
(g) Nothing in this section shall be construed to prohibit the conducting of live remote broadcasts by duly licensed radio stations upon business premises, at the request of the owner of the business. Said live remote broadcasts shall be limited to daylight hours only.

(h) Each violation shall be a separate offense.

ADOPTED this the 2nd day of September, 1997.

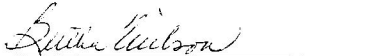

Phillip G. Anthony, Mayor

ATTEST:


Bertha Wilson, Town Clerk

I, Bertha Wilson hereby certify that this Ordinance was posted by me in three public places to-wit; Ashville City Hall, Rexall Drug Store, and Ashville Courthouse in said Town and State.

This the 8th day of September, 1997.


Bertha Wilson