

ORDINANCE NO. 947

AN ORDINANCE AMENDING CHAPTER 41, OF THE CODE OF THE CITY OF ABILENE; PROMULGATING CERTAIN RULES REGULATING THE USE OF AMPLIFIED MUSIC OR SOUND DEVICES, MECHANICAL MUSIC OR SOUND DEVICES, AND OTHER SOUND DEVICES; PROVIDING A PENALTY, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE:

SECTION I: That Chapter 41 of the Code of the City of Abilene, Texas, 1957, be and it hereby amended to read as follows:

SECTION 41-1: That it shall be unlawful for any person to use or operate, or cause to be used or operated, any device, machine, apparatus or instrument to intensify or to amplify or to reproduce the human voice, music, or any other sound on any public street within the corporate limits of the City of Abilene, PROVIDED, HOWEVER, that vendors who have otherwise complied with the ordinances and regulations of the City, County, and State shall be, and are hereby authorized to use not in excess of one bell not to exceed three (3) inches in diameter on each vending vehicle from eight (8) o'clock A.M. to one (1) o'clock P.M. and from three (3) o'clock P.M. to seven (7) o'clock P.M. for the purpose of attracting the attention of the general public.

SECTION 41-2: That it shall be unlawful for any person to use or operate, or cause to be or operated, any mechanical or electrical device, machine, apparatus or instrument to intensify or to amplify or to reproduce the human voice, or to produce, reproduce, intensify, or amplify any other sound, in any building or on any premises in the City of Abilene, whereby the sound therefrom is cast directly upon the public streets or places or where such device is maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public, or which is so placed or operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of travelers upon any street or public place, or of persons in neighboring premises.

SECTION 41-3: Notwithstanding any other provisions of this ordinance, it shall be unlawful for any person to make or create any noise in, near, or on any public street which is reasonably calculated to disturb the peace and good order of the neighborhood or of persons owning, using, or occupying property adjacent to such public streets.

SECTION 41-4: That every person convicted of the violation of this chapter shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

PASSED ON FIRST READING this the 25th day of June, A.D. 1959.

The Board of Commissioners hereby finds that an emergency exists requiring suspension of the rule provided in Section 32 of the City Charter requiring ordinances to be read and passed at two separate meetings of the Board of Commissioners and said rule is hereby suspended and said ordinance is passed twice at one and the same meeting of the Board of Commissioners.

PASSED ON SECOND AND FINAL READING this the 25th day of June, A.D. 1959.

(SEAL)

ATTEST:

Lila Fern Martin
City Secretary

Geo. L. Minter,
Mayor

APPROVED AS TO FORM BEFORE PASSAGE: John Crutchfield,
Corporation Counsel.