

**ORDINANCE NO. 0-2021-7**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS AMENDING CERTAIN SUBSECTIONS OF CHAPTER 14 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CITY'S CODE OF ORDINANCES; SPECIFICALLY ADDING ARTICLE VI "NOISE" PROHIBITING UNREASONABLE, DISTURBING, OR UNNECESSARY NOISE IN THE CITY LIMITS OF THE CITY OF CISCO, TEXAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CISCO THAT:**

Chapter 14, Article VI, is to read as follows:

Section 14-90. "Noise Generally".

Any unreasonable, disturbing, or unnecessary noise which causes distress, discomfort, or injury to persons of ordinary sensibilities in the vicinity of the noise is hereby prohibited. Any noise of such character which interferes with the comfortable enjoyment of property and private homes by persons of ordinary sensibilities is also prohibited.

Section 14-91. "Radios, phonographs, televisions, and similar devices"

It is prohibited for any person to operate, play, or permit the operating or playing of any radio, phonograph, stereo, television, tape cassette, musical instrument, or any other means of entertainment in such a manner as to be audible:

- (1) Beyond twenty-five (25) feet of its point of origin if the sound thereof originates outside a building;
- (2) Beyond twenty-five (25) feet from the exterior of a building if such sound originates within a building;
- (3) Beyond twenty-five (25) feet of a vehicle where the sound of such device or means of entertainment originates within such vehicle; or
- (4) Within any other residence in the city.

Section 14-92. "Loudspeakers, amplifiers, and devices used for attracting attention"

- (a) The use or operation, or permitting the use or operation of any stationary loudspeaker or amplifier in such a manner as to be audible within residences in the community is hereby prohibited.
- (b) The use of any drum, loudspeaker, or other instruments or devices for attracting attention by the creation of noise to any performance, show, or sale of merchandise is prohibited.

Section 14-93. "Vehicular Noises"

- (a) The continued or frequent sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle, except as a danger or warning signal, or the creation by means of any such signal device of any unreasonable, loud or harsh noise for any unnecessary and unreasonable period of time is prohibited.
- (b) The running of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such a manner that it creates loud or unnecessary grating, grinding, jarring, or rattling noise or vibration is prohibited.
- (c) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises, is prohibited.
- (d) Automobile alarms which for any reason emanate false alarms, repeating alarms, or continuous alarms are prohibited.

Section 14-93. "Construction, demolition, or excavation activities"

The construction, excavation, erection, demolition, alteration, or repair work on any residence or other building, other than between the hours of 7:00 a.m. and 8:00 p.m. Central Standard Time (CST) or 7:00 a.m. and 9:00 p.m. daylight savings time (DST), Monday through Sunday, except in cases or urgent public necessity, is prohibited.

Section 14-94. "Noise Near Schools"

The creation of any excessive noise on any street adjacent to any schools or institutions of learning while such are in session which unreasonably interferes with the workings of such institutions is prohibited, provided such institutions are clearly identified by signing that they are institutions of learning, and the noise is not of public necessity.

Section 14-95 "Loading and unloading of vehicles; garbage collection"

The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers is prohibited. Garbage collection between the hours of 10:00 p.m. and 7:00 a.m. is prohibited.

Section 14-96 "Mechanical Repairs"

Mechanical repairs of any vehicle or any other object at a residence, except between the hours of 7:00 a.m. and 8:00 p.m. CST and 9:00 p.m. DST, which disturb or cause discomfort to any persons or ordinary sensibilities in the vicinity, are prohibited.

Section 14-97 "Gatherings of persons"

The gathering on public or private property of any number of persons at any time, when the cumulative volume of noise of the gathering, whether from human voices or other sources, or from a combination of human voices and other sources, causes disturbance to any person of ordinary sensibilities located within the range of hearing of such gathering is prohibited.

Section 14-98 "Amusements"

It shall be unlawful for anyone to use any property within zones of the city designated as residential for organized amusements, including motor-cross, go-cart tracks, concerts, or other activities, that cause disturbance to any person of ordinary sensibilities beyond twenty-five (25) feet of such activities.

Section 14-99 "Yard maintenance"

The operation or permitting the operation of any yard maintenance equipment, is prohibited, except:

- (1) Between the hours of 7:00 a.m. and 8:00 p.m. CST or 7:00 a.m. and 9:00 p.m. DST;  
or
- (2) On golf courses and city-maintained areas between the hours of 5:30 a.m. and 8:00 p.m. CST or 5:30 a.m. and 9:00 p.m. DST.

Section 14-99 "Enforcement"

Enforcement of this article is the responsibility of the city. In cases of prohibited noises emanating from any vehicle, stationary or in motion, on any street of the city, which are audible to any city law enforcement officer, the operator of the vehicle shall be subject to arrest and/or the issuance of a citation by the law enforcement officer. Upon investigation, and upon finding that this article is being violated, an enforcement officer, consistent with the law of this state, may arrest any person who violates this article in the officer's presence, and such officer shall also have authority to issue citations for violations of this article without arresting the offender' provided, however, that in no case shall arrest and citation be mutually exclusive of each other as actions available to the officer in any particular case.

Section 14-100 "Penalty"

Any person, firm, or corporation violating any provision of this article shall be deemed guilty of a misdemeanor and, upon final conviction thereof, fined as provided in Section 1-11 of this code. Each day any such violation shall be allowed to continue shall constitute a separate violation and be punishable hereunder.

Section 14-101 "Exceptions"

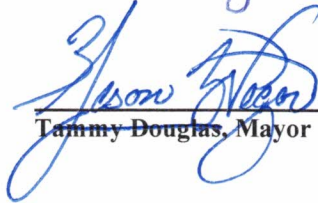
The following are excepted from this ordinance:

- (1) Any activity associated with and approved by the Cisco Independent School District occurring at Chesley Stadium;
- (2) Any activity associated with and approved by Cisco College occurring at Chesley Stadium;
- (3) Any activity associated with and approved by the city.


Effective Date: This Ordinance shall be effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on first reading on the 12th day of April, 2021.

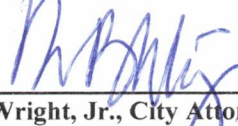
PASSED AND APPROVED on second reading on the 3rd day of May, 2021.

  
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Tammy Douglas, Mayor *Pro Tem*

ATTEST:

  
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Tammy Osborne, City Secretary

APPROVED AS TO FORM:

  
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W. B. Wright, Jr., City Attorney

