

ORDINANCE NO. 500

**AN ORDINANCE REGULATING NOISE RESTRICTIONS FOR THE CITY OF WALTON,
KANSAS**

WHEREAS, the Governing Body of the City of Walton wishes to establish its NOISE RESTRICTIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WALTON, KANSAS:

Subject to the exceptions below described, the following acts are declared to be loud, disturbing and unnecessary noises and constitute violations of this Section:

- (a) No person shall operate or cause or permit the operation of any Sound-Producing or Sound-Reproduction Device between the hours of 10:00 p.m. and 7:00 a.m., whether from inside or outside a building, in such a manner or with such volume so as to emit sound which can be heard fifty (50) feet beyond the property line of any residential property. For purposes of these regulations, the term “residential property” is defined as any property upon which a residence or a residential living unit is located, and which is located within any of the following zoning districts: R-1, R-2, R-3.
- (b) No person shall operate or cause or permit the operation of any Sound-Producing or Sound-Reproduction Device which is located within, upon or about any motor vehicle which is located on any public street, public parking lot or other public right-of-way by the playing of a sound-producing device so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle. Measurement standards shall be by the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included.
- (c) For purposes of these regulations, the terms “Sound-Producing Device” and “Sound-Reproduction Device” is defined as including any of the following: (i) radios; (ii) record, tape and CD players; (iii) sound amplifiers; (iv) musical instruments; (v) loudspeakers; and (vi) any other similar device that produces, reproduces or amplifies sound.
- (d) No person shall allow to be made or continued, any excessive, unnecessary, unusual or loud noise which creates a nuisance or injures or endangers the comfort, repose, health or safety of others, or which interferes with the use or enjoyment of property of any person of reasonable sensibilities residing in or occupying the area unless the making and continuing of such noise is necessary for the protection and preservation of property or the health and safety of some individual.
- (e) The provisions of this Section shall not apply to any of the following:
 - (1) Any activities conducted as an approved part of a public activity, such as parades, fireworks, sports events, festivals, musical productions and other activities which have the approval within the scope of their authority as conferred by law on any local, state or federal governmental entity, or by any state accredited public, private or parochial school.
 - (2) Any activities which are reasonably related to the conduct of any business, commercial or industrial enterprise upon property that is zoned for such use or upon which such uses are otherwise lawful.
 - (3) The normal and customary engine noises produced by any motor vehicle that is otherwise being lawfully operated upon the public ways or in private driveways or parking lots.

(4) The normal and customary noises produced by machinery or equipment that is being used on public or private property in order to remedy property damage or while being used during an emergency or other exigent circumstances.

(f) Nothing in the exceptions set forth in subsection (e) above shall serve to allow or authorize any activity which would otherwise be regarded as a public nuisance other than by the provisions of this Section.

(g) Violation of the provisions of this Section shall be punishable as an unclassified violation under the Uniform Public Offense Code as adopted by the City and shall be punished with a fine of at least \$50.00, but not exceeding \$500.00.

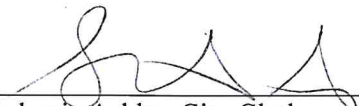
SECTION 2. This ordinance shall be in full force and effect from and after its publication on the official city website waltonkansas.com

PASSED AND ADOPTED by the Governing Body of the City of Walton, Kansas, on the 4th day of March, 2024.



Barry Wentz, Mayor

ATTEST:



Stephanie Ashby, City Clerk