

Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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**Celebrating Our 100th Anniversary
1899 - 1999**

ORDINANCE NO. 308

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING JEROME'S TOWN CODE CHAPTER 10: SPECIFICALLY SECTION 10-1-13, NOISE.

SECTION 1. The existing Section 10-1-13 shall be deleted in its entirety and the following substituted:

SECTION 10-1-13 LOUD NOISE PROHIBITED.

The creating, permitting or allowing of any unreasonably loud and disturbing noise within the Town limits is hereby prohibited.

Noise of such character, intensity or duration as to be detrimental to the life, health or well-being of any individual, or as to disturb the public peace or the peace and quiet of a neighborhood, family or person is hereby prohibited. The following acts, actions and activities, among others, are hereby declared to be loud and disturbing, in violation of this Ordinance; but the enumeration which follows shall not be deemed to be exclusive:

- (A) It is hereby declared to be a public nuisance and it is unlawful for any person, firm or corporation owning, operating or in control of any residence, restaurant, hotel, dance hall, show, store or any place of amusement, entertainment or accommodation, to play, or permit to be played, any music or musical instrument(s), whether played by individual(s), orchestra(s), radio(s), phonograph(s), music box(s), compact disk player(s), tape player(s), or other mechanical or electrical device, in such a manner that a reasonable person of normal sensory perception, is caused discomfort or annoyance.
- (B) It is unlawful to play any radio, stereo, player or other sound device including, but not limited to, loudspeakers or other devices for the reproduction or amplification of sound, from within a motor vehicle or other means of transportation, which can be heard seventy-five feet (75') or more away, unless such person, or person in charge of such vehicle, shall have first applied for and received written permission from the Chief of Police to operate any such device or vehicle so equipped.
- (C) It shall be unlawful for any person, place or firm; to operate, cause to be operated, or allow to be operated, any equipment, apparatus, tool, machinery or other device; used for the purposes of construction, destruction, building, assembly of or disassembly; of any building or structure, whether residential or commercial, within the Town limits of Jerome, in such a manner that a reasonable person, of

normal sensory perception, is caused annoyance or discomfort, between the hours of 8:00 P.M. of one day and 7:00 A.M. of the following day.

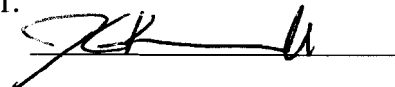
(D) In regard to motor vehicle noise:


1. It shall be unlawful to operate a motor vehicle in such a manner as to cause the tires to squeal or screech.
2. It shall be unlawful for any person within the limits of the Town of Jerome, to repair, rebuild or test, any motor vehicle between the hours of 10:00 PM of one day and 7:00 AM of the next day, in such a manner that a reasonable person of normal sensory perception, residing in the area, is caused discomfort or annoyance.
3. No person shall operate either a motor vehicle, motorcycle, or combination of vehicles, at any time, or under any condition of grade, load, acceleration or deceleration, in such a manner as to exceed the following noise limit based on a measurement taken at a distance of twenty-five feet (25') from the source of the noise, within the speed limits specified in this section:
 - a). Any motor vehicle, motorcycle, or combination of vehicles towed by such motor vehicles, shall not exceed 82dB(A) at speeds of 35 miles per hour or less, or 86 dB(A) at speeds of more than 35 miles per hour.
4. It shall be unlawful for any person to operate either a motor vehicle, motorcycle or combination of vehicles, at any time, or under any condition of grade, load, acceleration or deceleration within any area of the Town of Jerome in such a manner that a reasonable person of normal sensory perception, is caused discomfort or annoyance.
5. EXCEPTIONS. This ordinance shall not apply to any vehicle of the Town of Jerome while engaged in official duties.

(D) PENALTIES. Any person, or operator of a motor vehicle, found to be in violation of any section of this ordinance, shall be deemed guilty as follows:

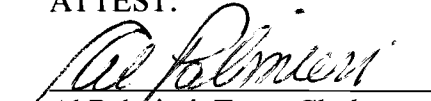
1. A first offense shall be deemed a civil infraction, punishable by a fine of not more than one hundred seventy-five dollars (\$175.00)
2. A second offense committed within six (6) months shall be deemed a civil infraction, punishable by a fine of not more than three hundred fifty dollars (\$350.00).
3. A third offense committed within twelve (12) months shall be deemed a Class 1 misdemeanor, punishable by a fine of not more than two thousand five-hundred dollars (\$2,500.00), imprisonment for up to one hundred eighty (180) days, or any combination of both.

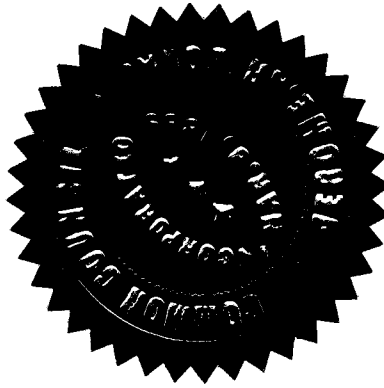
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Jerome, Arizona, this 22 day of February, 2001.





Jay Kinsella, Mayor

ATTEST:



Al Palmieri, Town Clerk



APPROVED AS TO FORM:


Kenton Jones, Town Attorney

I, Al Palmieri, Town Clerk for the Town of Jerome certify that the foregoing Ordinance number 308 is a true and correct copy of the ordinance adopting the Noise Ordinance. ^{met} _{also}


Al Palmieri, Town Clerk