

AN ORDINANCE PROHIBITING UNREASONABLY LOUD, DISTURBING OR UNNECESSARY NOISE, OR NOISE DETRIMENTAL TO HEALTH

BE IT ORDAINED by the Village Council of the VILLAGE OF JAMAICA BEACH, TEXAS:

SECTION 1. The creation of any unreasonably loud, disturbing or unnecessary noise, or noise of such kind, intensity or duration as to be disturbing to the peace of any person, or detrimental to the health of any person, is prohibited.

SECTION 2. As used in this section the word "person" shall be construed to apply to natural persons of normal nervous sensibility.

SECTION 3. The following acts, among others, are declared to be loud, disturbing or unnecessary noises or noises of such kind, intensity or duration as to be disturbing to the peace of any person or detrimental to the health of any person, and in violation of this ordinance, but this enumeration shall not be deemed to be exclusive:

- A. Musical instruments. The playing of any radio, phonograph or musical instrument or group of musical instruments, in such a manner or with such volume as to annoy or disturb the quiet, rest, comfort, or repose of any person in any dwelling.
- B. The use of any automobile, motorcycle or other vehicle so out of repair or without effective muffler as to create loud, excessive, or unnecessary noise.
- C. The keeping of any animal or bird or group of animals or birds which cause frequent, loud or long continued noise.
- D. The sounding of any horn or other signal device on any vehicle except as a danger signal.
- E. The use of any type of loud speaker or amplifier

on any vehicle except where a license to do so is granted by the governing body or by an official delegated by them to issue such licenses.

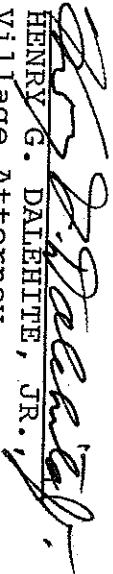
SECTION 4. It shall be the duty of every proprietor or keeper of establishments to which the public is invited to keep good order within the same, and to prevent all persons who may be therein from disturbing the peace or creating noises of the type described above. The failure of any such proprietor or keeper of such establishments to keep good order or prevent such noises shall constitute a violation of this ordinance.

SECTION 5. Penalties for violations of the provisions of this ordinance will be assessed under Ordinance No. 76-6 adopted by the VILLAGE OF JAMAICA BEACH on April 1, 1976.

SECTION 6. The voiding or setting aside of any portion of this ordinance for any reason by a court of competent jurisdiction shall have no effect on the remaining portions of this ordinance, which shall remain in full force and effect.

SECTION 7. This ordinance shall be and become effective from and after its adoption and publication as required by law.


APPROVED AS TO FORM:


HENRY G. DALEHITE, JR.,
Village Attorney

CERTIFICATION

I, JOAN S. WALSTAD, Secretary of the Village Council of the VILLAGE OF JAMAICA BEACH, TEXAS, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Village Council of the VILLAGE OF JAMAICA BEACH, TEXAS, this 27th day of May, 1976, as the same appears in records of this office, and after the enactment of such ordinance, the full text thereof was published by posting the same for at least 10 days between the 15th day of May, 1976, in three public places in the VILLAGE OF JAMAICA BEACH, TEXAS.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the VILLAGE OF JAMAICA BEACH, TEXAS, this 27th day of May, 1976.


SECRETARY OF THE VILLAGE
COUNCIL OF THE VILLAGE OF
JAMAICA BEACH, TEXAS