

NO. 4-90

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALTO, TEXAS AMENDING CHAPTER 11 "OFFENSES AND MISCELLANEOUS PROVISIONS", TO ADD A NEW SECTION DECLARING THE PLAYING OF ANY STEREO AND OR/RADIO SYSTEM WHETHER STATIONARY OR LOCATED WITHIN A MOTOR VEHICLE, IN SUCH A MANNER OR WITH SUCH VOLUME AS TO DISTURB PERSONS WITHIN FIFTY (50) FEET OF THE STEREO AND/OR RADIO SYSTEM OR SO AS TO SUBSTANTIALLY IMPAIR THE USE OR ENJOYMENT OF PUBLIC OR PRIVATE PROPERTY, TO BE A NUISANCE, AND PROHIBITING SAME; PROVIDING THAT ANYONE WHO VIOLATES THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED \$200.00; AND DECLARE AN EMERGENCY.

WHEREAS, the sound from any stereo and/or radio system in any motor vehicle or otherwise played at a high volume can prevent motorists from hearing police, fire or ambulance sirens and horns of other vehicles; and

WHEREAS, the sound from stereo and/or radios in motor vehicles played at high volumes can distract motorists and pedestrians; and

WHEREAS, the sound from stereo and/or radios from motor vehicles or otherwise played at high volumes can interfere with the enjoyment of public or private property; and

WHEREAS, General Law cities are authorized by law to define and prohibit nuisances within their corporate limits;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALTO, TEXAS:

Art. III. Section 11.20. That Chapter 11 "Offenses and Miscellaneous Provisions" of the Code or Ordinances of the City of Alto, Texas is amended by adding a new section to provide as follows:

"the playing of any stereo and/or radio system, whether stationary or located within a motor vehicle, in such manner or with such volume as to disturb persons within fifty (50) feet of the stereo and/or radio system or as to substantially impair the use or enjoyment of public or private property, is declared to be a nuisance, and is prohibited."

Section 11.21. Any person who violates or fails to comply with this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed ~~\$200.00~~ ^{\$}500.00.

Section 11.22. Because this ordinance is reasonably necessary for the protection of the safety and welfare of the inhabitants of the City of Alto, this ordinance is declared to be an emergency measure and shall become effective immediately upon its adoption by the favorable vote of three (3) or more members of the City Council and published notice in local newspaper.

ADOPTED this the 8th day of OCTOBER, 1990.

Garwin Baugh
Garwin Baugh, Mayor

ATTEST:

Carol Rozell
Carol Rozell, City Secretary