ORDINANCE NO. 99-5

"NOISE CONTROL ORDINANCE"

AN ORDINANCE TO PROHIBIT THE MAKING, CAUSING OR PLAYING OF LOUD, UNNECESSARY, DISTURBING, OFFENSIVE OR OTHERWISE ANNOYING MUSIC OR OTHER NOISES; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City continues to receive complaints concerning loud music, loud cars and otherwise annoying noises, and;

WHEREAS, the City Council has heard complaints on this matter and determined that action should be taken to prevent ongoing hostility among the citizens, and;

WHEREAS, the City believes it is necessary to provide a local ordinance to better define, regulate and enforce noise control in the City of Mulberry, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS;

SECTION 1. That it is hereby declared unlawful for any person, firm, corporation, individual association or agent thereof within the corporate limits of the City of Mulberry to make, cause or play loud, unnecessary, excessive, disturbing or otherwise annoying music or other noises.

SECTION 2. Any person, firm, corporation, individual association or agent thereof who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than $25.00 or more than $200.00.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. If any provision of this ordinance is held invalid or unconstitutional it shall be deemed severable and separable, and the remaining provisions shall remain in full force and effect.

SECTION 5. It is hereby ascertained and declared that in order to facilitate prompt action to the City's noise problem and thereby prevent disputes in areas of the City which are experiencing these noise disturbances, an emergency is declared to exist. This ordinance being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF APRIL, 1999.

APPROVED: _____
Jeff Marvin, Mayor

ATTEST: _____
Joe Benham, Recorder-Treasurer