

AN ORDINANCE OF THE BOARD OF
MAYOR AND ALDERMEN OF THE TOWN
OF LOUISVILLE, TENNESSEE,
PROHIBITING DISTURBING NOISES AND
OTHER NUISANCES DETRIMENTAL TO
PUBLIC HEALTH AND WELFARE AND
RESCINDING ITS CURRENT NOISE
ORDINANCE, 2009-14

ORDINANCE NO. 2015- 02

FIRST READING

DATE PASSED: March 10, 2015

SECOND READING

DATE PASSED: April 13, 2015

PUBLIC HEARING: April 13, 2015

BE IT HEREBY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF LOUISVILLE, TENNESSEE, AS FOLLOWS:

WHEREAS, The Board of Mayor and Alderman desire for the Town of Louisville to rescind its
noise ordinance, 2009-14; and

WHEREAS, it has been determined that the adoption of this ordinance is necessary and proper
for the health, safety and welfare of citizens of the Town of Louisville; and

THEREFORE, IT IS ORDAINED:

1. Ordinance 2009-14, passed on second and final reading on December 08, 2009, is
hereby RESCINDED.
2. Noise Defined. Noise is defined as a sound emitted and passes over or through permitted
boundaries and causes distress and annoyance to the senses of others.
3. Prohibited Uses on Residential Property. The following acts, among others, are declared to
be in violation of this ordinance:
 - (a) Owning, possessing, or harboring any pet animal or pet bird that frequently or for
continued duration makes sounds that create a noise disturbance across a residential real
property line. A dog shall be deemed to be in violation of this section if it barks, whines or
howls continuously for a period in excess of one (1) hour and (15) minutes. This

section shall not apply to a dog on a hunt or chase, or to a dog guarding or driving livestock, or to dog participating in an organized animal show.

(b) Construction or demolition, which creates such noises, is prohibited between the hours of 8:00 p.m. to 6:00 a.m. except in the event of an emergency requiring immediate construction or demolition.

(c) Playing, using, operating or permitting to be played, used or operated a radio, phonograph, musical instrument, loudspeaker, sound amplifier, or other machine or device for the production or reproduction of sound therefrom creating a noise disturbance across a residential real property line in excess of 65 dBA.

(d) The use of any drum, bell, loudspeaker or other instrument or device for the purpose of attracting attention to any solicitation, performance, show, or sale or display of merchandise.

(e) Between the hours of 7:00 p.m. to 8:00 a.m. mini-bikes, motorcycles, etc., shall not be operated on private property closer than three hundred (300) feet to any residence except the residence of the owner or operator thereof or any residence to which the owner or operator may be invited.

(f) The operation of power lawnmowers, leaf blowers, or other motor driven lawn or garden equipment between the hours of 9:00 p.m. and 7:00 a.m., prevailing time.

(g) No internal combustion engine shall be operated at any time or place in the Town of Louisville without an adequate muffler designed and manufactured to suppress exhaust noises to minimum.

(h) The operation of any malfunctioning machinery, equipment, pump, fan, attic fan, air conditioner apparatus or similar mechanical device in such a manner to create any unreasonable and unnecessary noise which shall disturb the comfort and repose of any person in the vicinity.

(i) It shall be unlawful for any person to use or operate or cause to be used or operated any sound device or apparatus in, on, near, or adjacent to any public street, park, or place for commercial or business advertising purpose.

(j) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle except as a warning signal pursuant to the provisions of the Vehicle and Traffic Law of the State of Tennessee.

(k) Operating or permitting the operation of any motor vehicle whose manufacturer's gross weight is in excess of ten thousand (10,000) pounds or an auxiliary equipment attached to such a vehicle for a period of longer than five (5) minutes while the vehicle is stationary and is within three hundred (300) feet of a residential area between the hours of 8:00 p.m. and 7:00 a.m. of the following day.

4. Prohibited Uses on Commercial — Light Manufacturing — Industrial zoned property:

(a) No person shall cause, suffer, allow, or permit the operation of any source of sound on a particular category of property or any public space or right of way, commercial or industrial, in such a manner as to create a sound level that exceeds the particular sound level limits set forth in Table 1 when measured at or within the real property line of the receiving property.

Table 1, Maximum Permissible Sound Levels by Receiving Property Category, in dBA

Receiving Property Category and Time Periods				
	Residential 7am-10pm	Residential 10pm-7am	Commercial all times	Industrial all times
Sound Source Property Category				
Commercial or Public Spaces or Rights-of-Way	65	50	65	75
Industrial	65	50	65	75

5. Reporting Violations. The complainant will notify Town of Louisville Codes Enforcement during regular office hours, or Blount County Sheriff Department at times other than regular office hours

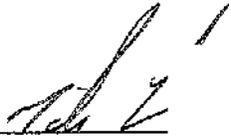
6. Provisions for Violations and Penalties. A violation of this ordinance is declared to be a nuisance and is an offense punishable by a fine not exceeding \$250.00 (two hundred fifty dollars) or by imprisonment for a period not exceeding 15 (fifteen) days, or both fine and imprisonment. Each week's continued violation shall constitute a separate additional violation. Whenever a violation of this ordinance occurs any person may file a complaint in regard thereto. All such complaints must be in writing with the name and address of the complainant and a statement of facts supporting the complaint and shall be filed with the Town of Louisville or Blount County Sheriff Department. Each complaint shall be properly recorded and timely investigated.

7. Injunctive Relief. As an additional remedy, and not in lieu of any other remedy available under this ordinance, any violation of this ordinance shall be deemed to be and is declared a public nuisance and may be subject to abatement by a restraining order other injunctive relief by a court of competent jurisdiction.

8. Jurisdiction to Enforce. The General Sessions Court for Blount County shall have jurisdiction to hear all cases of alleged violations of this ordinance and may assess any of the penalties contained herein as well as court costs and any established costs of enforcement, including any legal costs and fees incurred by the Town of Louisville in enforcing this ordinance.
9. Exemptions. The terms and prohibitions in the ordinance shall not apply to the following:
- (a) Government vehicles and authorized emergency vehicles while engaged in necessary public business or emergency situation.
 - (b) The excavation or repair of bridges, highways, streets, roads or public ways by or on behalf of any government.
 - (c) Festivals, athletic events or similar events conducted by any Governmental entity, including schools, and occurring on public property.
10. Effective Date. This Ordinance shall become effective immediately upon passage, the public welfare requiring it.



Mayor



Town Recorder

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