

ORDINANCE NO. 1991 - 1

AN ORDINANCE TO PROHIBIT THE OPERATION OF A MOTOR VEHICLE'S RADIO OR SOUND SYSTEM, OR A PORTABLE RADIO WITH AMPLIFIERS SO AS TO BE AUDIBLE FIFTY (50) OR MORE FEET AWAY WHEN OPERATING IN PUBLIC PLACES, STREETS OR HIGHWAYS.

WHEREAS, excessive noise from portable radios with amplifiers so-called "Boom Boxes" and radio sound systems of motor vehicles operated in the City limits of Turrell, Arkansas, is a serious threat to the hearing, health and safety of the residents of the City and interference with the effectiveness of working signals of emergency vehicles; and,

WHEREAS, it is necessary to regulate the volume of such portable radios and sound systems of motor vehicles in order to protect the health and safety of other motorists and inhabitants of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TURRELL, ARKANSAS:

SECTION 1. It shall be unlawful for any driver of a motor vehicle to operate, or to permit the operation of any radio, audio tape player or other sound amplification system of the vehicle so that it can be heard outside the vehicle from fifty (50) feet or more when the motor vehicle is being operated on the public streets and highways within the corporate limits of the City of Turrell, Arkansas.

SECTION 2. It shall be unlawful for any person owning a portable radio with amplifiers, a so-called "Boom Box", or audio tape player and sound amplification system, to operate or permit the operation of the same in any public place, or any street or highway in the corporate limits of the City of Turrell, so that it can be heard from a distance of fifty (50) feet or more from where said portable radio or sound system is being operated.

SECTION 3. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and on conviction thereof shall be

SECTION 4. The prohibitions of this Ordinance shall not apply to:

- (a) Situations where the sound system is being used to request assistance or to warn of a hazardous condition;
- (b) Emergency vehicles or vehicles operated by gas, electric, communication, or water utilities; or
- (c) Vehicles with sound systems used for advertising, or used in parades, political rallies, or other special events.

SECTION 5. Should any of the provisions of this Ordinance or the application thereof to any person or circumstances be held to be invalid, the invalidity of such portion of this Ordinance shall not affect other portions or application of the Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are declared to be severable.

SECTION 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. EMERGENCY CLAUSE: It having been found and determined by the City Council of the City of Turrell, Arkansas, that there is an urgent need to regulate excessive noise from portable radios, radios and sound systems of motor vehicles operating on the streets of Turrell, Arkansas, in order to prevent accidents and to protect other motorists and pedestrians and that time is of the essence, an emergency is hereby declared to exist and this Ordinance being necessary for the preservation of the public peace, health, safety and welfare of the citizens of Turrell, Arkansas, shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED this 18th day of June, 1991.



JIMMY FRALEY, Mayor

ATTEST.