

Sound-Amplifying Equipment (Sound Permit Hours)

BILL NO. _____

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9 OF THE SPARKS MUNICIPAL CODE TO DEFINE THE PERMITTED HOURS TO USE SOUND-AMPLIFYING EQUIPMENT DURING SPECIAL EVENTS LOCATED IN VICTORIAN SQUARE; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

Section 1. Section 9.42.010: "Definitions" is hereby amended as follows:

Section 9.42.010 - Definitions

As used in this chapter:

- A. "Commercial purpose" means and includes the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business or any goods, or any services or for the purpose of attracting the attention of the public to or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating any such sound equipment.
- B. "Noncommercial purpose" means the use, operation, or maintenance of any sound equipment for other than a commercial purpose. Noncommercial purpose means and includes, but shall not be limited to, philanthropic, political, patriotic, and charitable purposes.
- C. "Sound-amplifying equipment" means any machine or device for the amplification of the human voice, music, or any other sound. Sound-amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in this chapter shall not include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.
- D. "Sound truck" means any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound-amplifying equipment.
- E. *"Victorian Square" means that area bounded by the southern right-of-way of Nugget Avenue, the western right-of-way of 15th Street, the northern right-of-way of D Street and the eastern right-of-way of 6th Street.*

(Ord. 1639 § 1 (part), 1989.)

Section 2. Section 9.42.070: "Regulations" is hereby amended as follows:

Section 9.42.070 - Regulations

The commercial and noncommercial use of sound-amplifying equipment shall be subject to the following regulations:

- A. The only sounds permitted shall be either music or human speech, or both.

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- B. The operation of sound-amplifying equipment shall only occur between the hours of eight a.m. and eight p.m. each day except on Sundays and legal holidays. No operation of sound-amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound-amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of ten a.m. and eight p.m. The sound-amplifying equipment shall be operated only on the date(s) and place(s) specified in the approved registration statement.
- 1. For sound permits approved within Special Event permits located in Victorian Square, the commercial operation of sound-amplifying equipment shall only occur between the hours of eight a.m. and ten p.m. or at the discretion of the city manager or his designee. The sound-amplifying equipment shall be operated only on the date(s) and place(s) specified in the approved permit.*
- C. No sound emanating from sound-amplifying equipment shall exceed fifteen dbA above the ambient as measured at any property line.
- D. It is unlawful to operate any sound-amplifying equipment within three hundred feet of churches, schools, hospitals, or city or county buildings.
- E. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing, or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.
- F. The speech or music amplified shall not be profane, lewd, obscene or slanderous.
(Ord. 1639 § 1 (part), 1989.)

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

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval and publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The City Council finds that this ordinance is **not** likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this ____ day of _____, 20__, by the following vote of the City Council:

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AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

APPROVED this _____ day of _____, 20__, by:

GENO MARTINI, Mayor

ATTEST:

TERESA GARDNER, City Clerk

**APPROVED AS TO FORM AND
LEGALITY:**

CHESTER H. ADAMS, City Attorney