

**CITY OF CORYDON
ORDINANCE 2024-03**

**AN ORDINANCE REGARDING EXCESSIVE AND UNNECESSARY
NOISE IN THE CITY OF CORYDON**

WHEREAS, the City of Corydon, Kentucky, has the authority to enact ordinances for the public health, safety, and welfare of its citizens;

WHEREAS, unreasonably loud, harsh, excessive, and unnecessary noise presents health, safety, and welfare concerns, and has a tremendous negative impact upon the quality of life, safety, and health of the areas where they are located;

WHEREAS, the City believes that the public health, safety, and welfare of the citizens of the City will be better served by prohibiting excessive and unnecessary noises to be enforced under the provisions set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF CORYDON, KENTUCKY, AS FOLLOWS:

Section 1: Noise.

- A. It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, harsh, excessive or unnecessary noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others unless the making and continuing of the noise is necessary for the protection or preservation of property or the life, health or safety of a person or persons.
- B. The factors to be considered in determining whether a violation exists, shall include, but not be limited to, the following:
 - 1. The volume of the noise;
 - 2. The intensity of the noise;
 - 3. Whether the nature of the noise is usual or unusual;
 - 4. The volume and intensity of background noise, if any;
 - 5. The proximity of the noise to a residential area or place of public accommodation such as a hotel, motel, inn, campground and the like;
 - 6. The nature and zoning of the area within which the noise emanates;
 - 7. The density of inhabitation of the area within which the noise emanates:

8. The time of day or night the noise occurs;
 9. The duration of the noise; and/or
 10. Whether the noise is recurrent, intermittent, or constant.
- C. In addition to and separate from any provision of this subchapter, the following acts and the causing, suffering or permitting thereof, which produce excessive and unnecessary noises creating a nuisance and disturbing the peace shall constitute a violation of this subchapter. The listing of the following specific prohibited acts is not intended to limit the city's authority to regulate any and all loud, unnecessary, and unusual noises and even if not included herein, such noise disturbances shall be subject to regulation pursuant of this subchapter:
1. The sounding of any horn or other such audible signaling device on any automobile, motorcycle or other vehicle on any highway or other public place, for an unreasonable period of time, except as a danger warning;
 2. The use or operation of any radio, stereo, or other machine or device for the production, reproduction, or amplification of sound in any vehicle in such a manner as to create an unreasonably loud, harsh, or excessive noise, that disturbs the peace, quiet or comfort of others;
 3. The use or operation of, or allowing the use or operation of, any radio receiving set, musical instrument, phonograph, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of others by creating or allowing a volume greater than is necessary for the convenient hearing of the person or persons who are voluntarily in the room, chamber, or vehicle in which any above described machine, device or musical instrument is located;
 4. Use or operation of any vehicle on any highway in such a manner as to produce any unreasonably loud, harsh, or excessive noise, or to discharge into the open air, or to discharge vehicle exhaust in the open air of any vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;
 5. Creation of any unreasonably loud, harsh, or excessive noise in connection with the loading or unloading of any vehicle, or by the operation of any such vehicle; and/or
 6. Use of any mechanical loudspeaker, amplifier, sound system, stereo or radio on any moving or standing vehicle for advertising, entertainment, or any other

purpose, in such a manner as to create an unreasonably loud, harsh, or excessive noise.

7. Yelling, shouting, or screaming in a manner so as to create unreasonably loud, harsh, excessive or unnecessary noise which could annoy, disturb or harass a reasonable person with normal sensitivities, or otherwise disturbs, injures, or endangers the comfort, repose, health, peace and safety of others.
- D. In every charge of violation of this section the affidavit shall state the hour at which the offense shall have occurred.
- E. The following activities shall be exempt from this Ordinance:
1. Noises originating from safety signals, warning devices and emergency pressure relief valves.
 2. Noises resulting from any authorized emergency or law enforcement vehicle or training facilities.
 3. Noises resulting from construction or demolition activity.
 4. Noises from the use of farm machinery, lawn mowers or other machinery properly muffled which is used for agricultural or landscaping purposes.
 5. Noises originating or emanating from religious activities, public recreational facilities such as, but not limited to, fairgrounds, sports facilities, amusement parks and other public amusement establishments.
 6. The operation of aircraft in conformity with, or pursuant to, federal law, federal air regulations and/or air traffic control instructions.
 7. Noises emanating from festivals or other periodic activities and celebrations where said activity has applied for and received a license or authorization from the City Council to conduct such events.

Section 2: Penalty.

- A. Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, on conviction thereof, be fined not less than \$10 nor more than \$500 or imprisoned for not more than 30 days or both, and in addition shall pay all costs and expenses involved in the case. Each day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the city from taking

any other lawful action as is necessary to prevent or remedy any violation. Violators of this chapter may be issued a citation by the officer in charge of enforcement.

B. The Henderson County Sheriff or his designee or other law enforcement officers are hereby authorized to issue citations for this ordinance.

Section 3: Effective Date. This Ordinance shall become effective after its passage on the second and final readings and publication as required by law.

Adopted this 30th day of May, 2024.

05-30-24
Date

Rhonda Moore Smith
Rhonda Moore Smith
Mayor

ATTEST:

Katie M. Sauer
Katie Sauer
City Clerk