

State of Louisiana

Parish of Grant In the Name and By the Authority of The Police Jury of Grant Parish

Motion by Mr. Winston Roberts, seconded by Mr. Britton Carroll to Adopt Ordinance 06-2019; Revised Noise Ordinance. Motion carried.

ORDINANCE

06-2019

GRANT PARISH NOISE ORDINANCE

WHEREAS, the Grant Parish Police Jury is empowered to enact ordinances providing for the well-being, safety and peace of mind for its citizens; and

WHEREAS, the production or commission of noises or amplified speech, music or other sounds and do tend to annoy, disturb or frighten citizens; and

WHEREAS, it is reasonable to expect that such sounds or noises can under most circumstances, be eliminated or at least modified through prudent efforts on the part of the governing authority, law enforcement, businesses and the general public;

THEREFORE, the Grant Parish Police Jury does hereby establish the following noise regulations;

The purpose of this ordinance is to provide for an, effective means of regulating and controlling sound and noise within the Parish of Grant, in all unincorporated areas, for the purpose of providing for the health, safety and welfare of the population while insuring the rights of individuals are not unreasonably restricted.

1) Offenses against Public Peace and Order

It shall be unlawful for any person or persons to make, permit, or cause to be made or to create any unreasonably loud and disturbing noise in the Parish. For purposes of this ordinance, loud and disturbing noise shall be defined as;

(A) unreasonably loud: Noise which is substantially incompatible with the time and located where created, to the extent that it creates an actual or imminent interference with peace and good order.

(B) Disturbing: Noise which is perceived by a person of ordinary sensibilities as interrupting the normal peace and calm of an area.

In determining whether a noise is unreasonably loud and disturbing, the following factors incident to such noise are to be considered:

Time of day; proximity to residential structures; whether the noise is recurrent, intermittent or constant; the volume and intensity of the noise; whether the noise has been enhanced in volume or range by any type of electric or mechanical means; the character of the area; whether the noise is related to the normal operation of a business or other labor activity; whether the noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

Enforcement:

(1) If noise is of a temporary but disruptive nature, such as a party or gathering contact the parish law enforcement agency or constable to seek immediate relief.

(2) If the noise is of a continuing nature and the complainant has been unable to obtain the cooperation of the source of the disruptive noise in reducing or removing the offending noise, the complainant shall contact a parish law enforcement officer or constable.

Should there be no response by the offender to the law enforcement officer's request to comply with the ordinance, a citation specifying the time and date to appear before Thirty-Fifth Judicial District Court for the Parish of Grant, State of Louisiana may be issued.

The party issued the citation may, at his/her option, pay the fine of fifty dollars (;50.00) and court costs of fifty dollars (\$50.00) prior to the date and time specified on the citation, or may elect to have the case heard by the Thirty-Fifth Judicial District Court for the Parish of Grant, State of Louisiana.

(A) The violation of any provision of this ordinance shall constitute a misdemeanor and shall be punishable by a fine of fit dollars (\$50.00). A court cost of fifty dollars (\$50.00) shall also be imposed on each citation, except that in the case of multiple violations for the same cause, the court cost shall only be levied once. Each day on which the violation of the ordinance continues shall constitute a separate and distinct violation and offense. Upon conviction in the Thirty-Fifth Judicial District Court for the Parish of Grant, State of Louisiana, the violator has the right to appeal to the Third Circuit Court of Appeal for the State of Louisiana within the delays allowed by law.

(B) Farming operations shall be exempt from this ordinance except under circumstances where prolonged use of farm equipment and the emission of such noises thereby produced create a hardship or discomfort for any residence within one thousand (1,000) feet.

(C) Short term construction projects of a limited duration (i.e., roofing reconstruction, tree removal, etc.) shall be exempt from this ordinance provided that there is a definitive length of time during which the project and noise can be reasonably expected to exist.

For the purposes of this ordinance, noises include, but are not limited to:

Lawn mowing equipment, tractors, weed eaters, leaf blowers, chain saws and other equipment used outdoors for the purpose of maintaining lawns, gardens, parks, cemeteries, pastures and the like.

Production machinery that operates for more than a limited period of time (ten minutes) or intermittently during any half hour period; as used in the operation of businesses which are located adjacent to or within close proximity to residential areas, hospitals, nursing care centers, churches, schools or child care centers. Such machinery shall include, but is not limited to, table saws, lathes, sanding devices, planing equipment, sawmills, and other industrial equipment, air compressors, paint sprayers, manufacturing equipment, power equipment motors, pumps or blowers.

Animals, including dogs, cats, horses, birds, waterfowl, cattle, goats, sheep, pigs and those animals which are considered domesticated. Any animal creating a disturbing noise shall have made that noise for a prolonged period of time (ten minutes of continuous sound, or intermittent noises of more than thirty minutes duration).

Musical instruments, sound amplifying equipment, loudspeakers, microphones, public address systems, radios, tape players, compact disc players, televisions and "boom boxes". Such equipment may be in a fixed location (i.e., within venue of the speech or performance) are subjected to the sound for more than a brief period of time (more than thirty minutes).

Idling vehicles (automobiles, trucks, delivery vehicles), left running for more than ten minutes in a non-commercial area.

For the purposes of this ordinance, special events such as revivals, outdoor musical concerts, sporting events, performances or political rallies are exempt from these restrictions except under extraordinary circumstances and at the discretion of the law enforcement agency involved.

This ordinance shall become effective ten (10) days following its adoption.

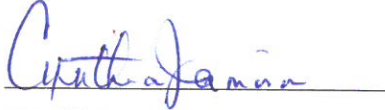
BE IT ORDAINED by the Grant Parish Police Jury this date that the above and foregoing designated ordinance is hereby adopted.

Date of Enactment - This Ordinance shall become effective upon its adoption.

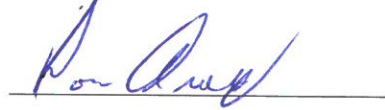
WHEREUPON THIS ORDINANCE WAS ADOPTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 7 NAYS: None ABSENT: None

AND THIS ORDINANCE WAS ADOPTED ON THIS 12th DAY OF DECEMBER, 2019.



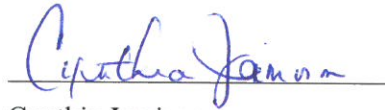
Cynthia Jamison
Secretary-Treasurer
Grant Parish Police Jury



Don Arnold
President
Grant Parish Police Jury

CERTIFICATE

I, Cynthia Jamison, Secretary/Treasurer of the Grant Parish Police Jury, do hereby certify the forgoing is a true and correct copy of an Ordinance adopted by the said Police Jury in a regular session on the 12th day of December, 2019 at which a quorum was present.



Cynthia Jamison
Secretary/Treasurer
Grant Parish Police Jury