

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 6th day of February, 1990; that the record of the final vote on its passage is found on page 690 of Journal R; that it was published in the Lawrence Daily Journal-World on the 14th day of February, 1990.
Raymond J. Hummert
City Clerk

ORDINANCE NO. 6088

AN ORDINANCE PERTAINING TO EXCESSIVE NOISE AS CONSTITUTING DISTURBANCE OF THE PEACE.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION I. Statement of Intent. No provision of this ordinance shall be construed to limit or abridge the rights of any person to speak, peacefully assemble and express opinions. It is the purpose of this ordinance to protect individuals from unreasonable intrusions caused by excessive, unnecessary or unusually loud noises.

SECTION II. Disturbing the Peace.

- a. It shall be unlawful for any person to make, continue, maintain or cause to be made or continue any excessive, unreasonable or unusually loud noise which disturbs, injures, endangers the repose, health, peace or safety of other people of ordinary sensitivity within the vicinity of the noise.
- b. It shall be unlawful for any person to use, operate or permit the use or operation of any electronic device, radio, receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity.
- c. No person shall participate in or be in any party or gathering of people from which sound emanates at a sufficient volume so as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity. A police officer may order all such persons present at any such party or gathering to immediately disperse from the vicinity of any such party or gathering in lieu of being charged under this section; provided, however, owners or tenants are not required to leave their own dwelling unit. Owners or tenants residing in the dwelling unit where the party or gathering occurs, shall upon request of a police officer cooperate fully in abating the disturbance and failing to do so, shall be in violation of this ordinance.
- d. For purposes of this ordinance, the term "neighboring inhabitants" includes those persons in single family dwellings, multiple family dwellings, boarding house rooms, hotel rooms or motel rooms within the vicinity of the noise.

SECTION III. Exemptions. The requirements of this ordinance shall not apply to the following, provided that all equipment is in repair and operated properly:

1. Emergency work necessary to restore property to a safe condition or to protect a person and property from eminent danger;
2. Emergency vehicles;
3. Alarm systems;
4. Trash and waste pickup operations;
5. Aircraft or railroads;
6. Noise resulting from the activities of a temporary duration planned by school/university, governmental or community groups;
7. Air conditioners and lawn care equipment;
8. Construction operations; and
9. Church bells and campanile chimes.

PASSED by the Governing Body of the City of Lawrence, Kansas, this 6th day of February, 1990.

ATTEST:

APPROVED

Raymond J. Hummert
Raymond J. Hummert, City Clerk

Robert J. Schumm
Robert J. Schumm, Mayor

Approved as to form and legality:

Tom Conth Feb. 5, 1990
City Attorney Date