

ORDINANCE NUMBER: _____

AN ORDINANCE OF THE TOWN OF MCINTYRE, GEORGIA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES RELATING TO GENERAL OFFENSES.

THE MAYOR AND COUNCIL OF THE TOWN OF MCINTYRE HEREBY FINDS THAT IT IS NECESSARY FOR THE SAFETY AND WELL BEING OF THE CITIZENS OF THE TOWN FOR THE TOWN TO PROVIDE AN ORDINANCE PROHIBITING THE PLAYING OF RADIOS, TELEVISIONS, PHONOGRAPHS, OR OTHER SOUND REPRODUCING DEVICES IN THE TOWN LIMITS IN SUCH A MANNER AS TO DISTURB THE PEACE AND QUIET OF THE TOWN.

PURSUANT TO THE AUTHORITY OF SECTION 2.7 OF THE CHARTER OF THE TOWN OF MCINTYRE AND IT IS ORDAINED, BY THE MAYOR AND COUNCIL OF THE TOWN OF MCINTYRE, GEORGIA, BY AUTHORITY OF SAME, THAT:

SECTION 1: CHAPTER 31 (GENERAL OFFENSES) OF THE CODE OF ORDINANCES OF THE TOWN OF MCINTYRE IS HEREBY AMENDED BY ADDING A NEW SECTION, DESIGNATED AS SECTION 31-110, TO READ AS FOLLOWS:

"SECTION 31-110: RADIOS, TELEVISIONS, MUSICAL INSTRUMENTS AND SIMILAR DEVICES:

(1) IT SHALL BE UNLAWFUL FOR ANY PERSON TO OPERATE, PLAY OR PERMIT THE OPERATION OR PLAYING OF ANY RADIO, TELEVISION, PHONOGRAPH, MUSICAL INSTRUMENT OR SIMILAR DEVICE FOR THE PRODUCTION OR REPRODUCTION OF SOUND IN SUCH A MANNER AS TO DISTURB THE PEACE, QUIET AND COMFORT OF THE NEIGHBORING INHABITANTS, OR AT ANY TIME WITH LOUDER VOLUME THAN IS NECESSARY FOR CONVENIENT HEARING FOR THE PERSON WHO IS IN THE ROOM, MOTOR VEHICLE OR STRUCTURE IN WHICH SUCH MACHINE OR DEVICE IS OPERATED AND WHO IS A VOLUNTARY LISTENER THERETO. THE OPERATION OF SUCH RADIO, TELEVISION, PHONOGRAPH, OR OTHER SOUND REPRODUCTION DEVICE IN SUCH A MANNER AS TO BE PLAINLY AUDIBLE AT A DISTANCE OF FIFTY (50) FEET FROM THE BUILDING, STRUCTURE OR VEHICLE IN WHICH IT IS LOCATED SHALL BE PRIMA FACIE EVIDENCE OF A VIOLATION OF THIS SECTION.

SECTION 2: ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 3: IF ANY PORTION OF THIS ORDINANCE SHALL BE HELD TO BE INVALID OR UNCONSTITUTIONAL, SUCH INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT AFFECT OR IMPAIR THE REMAINING PORTIONS UNLESS IT CLEARLY APPEARS THAT SUCH OTHER PARTS ARE WHOLLY AND NECESSARILY DEPENDENT UPON THE PART HELD TO BE INVALID OR UNCONSTITUTIONAL.

SECTION 4: THE RECORDER'S COURT OF THE TOWN OF MCINTYRE SHALL HAVE JURISDICTION OF ANY OFFENSE PROSECUTED UNDER THIS SECTION.

SECTION 5: THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS READING AND PASSAGE AS PROVIDED IN THE TOWN CHARTER.

SECTION 6: IT IS THE INTENT OF THE MAYOR AND COUNCIL AND IT IS ENACTED THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE CODE OF ORDINANCES OF THE TOWN OF MCINTYRE, GEORGIA, AND THAT SECTIONS OF THIS ORDINANCE BE RENUMBERED OR RELETTERED TO ACCOMPLISH SUCH INTENTION.

ADOPTED THIS 7 DAY OF July, 1989.

TOWN OF MCINTYRE, GEORGIA

BY: John Ira Crutchfield
MAYOR

J. G. B. Albright
COUNCIL MEMBER

C. L. Wapp
COUNCIL MEMBER

Fred W. Green
COUNCIL MEMBER

COUNCIL MEMBER

Wanda L. Dean
COUNCIL MEMBER

ATTEST: Carol A. Parthen
TOWN CLERK

(SEAL)