

ORDINANCE NO. 259

AN ORDINANCE PROHIBITING THE EMISSION OF LOUD AND RAUCOUS SOUNDS, OR OBSCENE OR VULGAR LYRICS EMITTED FROM VEHICLES WITHIN THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the operation of vehicles within the city emitting loud and raucous sounds, or obscene or vulgar lyrics constitutes a hazard to other drivers and pedestrians; and,

WHEREAS, the emission of loud and raucous sounds, or obscene or vulgar lyrics from vehicles within the city interferes with the peaceful enjoyment and use of private and public property therein; and,

WHEREAS, most persons subjected to said loud and raucous sounds, or obscene or offensive lyrics emitted from vehicles within the city are unwilling listeners, helpless to escape the manifest invasion of their privacy by such sounds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCCRORY, ARKANSAS:

SECTION 1: It shall be unlawful for any person within or upon any vehicle in the city limits to make, continue, or cause to be made or continued any loud and raucous noise, or loud or vulgar lyrics audible outside the vehicle, defined to mean any sound which, because of its volume level, duration, or character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of any persons or ordinary sensibilities.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: Any person, firm, or corporation, upon conviction of this offense, shall be fined any sum not to exceed \$500.00 for the first offense, repetition of such offense within three years of the preceding offense shall be provided by fine of not less than \$500.00 nor more than \$1,000.00.

WHEREFORE, the City Council has determined that the immediate passage of this Ordinance is necessary for the health, safety and welfare of the citizens of McCrory.

THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED on this 12 day of May, 1997.

THE CITY OF MCCRORY

BY: Mickey Lee
MAYOR MICKEY LEE

ATTEST:

Sue Pegg
City Clerk

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