

CHAPTER 2. - NOISE^[2]

Footnotes:

--- (2) ---

Editor's note— Ord. No. 11697, § 1, adopted March 22, 2000, amended the Code by repealing former ch. 2, §§ 12:100—12:105, and adding a new ch. 2, §§ 12:100—12:103. Former ch. 2 pertained to similar subject matter, and derived from the City Code of 1951, Title 12, §§ 100—104; the Parish Code of 1962, Title 12, §§ 100—104; Ord. No. 9432, adopted May 13, 1992; Ord. No. 9514, adopted October 28, 1992; Ord. No. 10827, adopted February 26, 1997.

State Law reference— Disturbing the peace, R.S. 14:103; motor vehicles, R.S. 32:352, 32:353.

Sec. 12:100. - Noises interfering with enjoyment of property or public peace and comfort.

No person shall make or cause to be made any loud and raucous noise in the parish which is offensive to persons of ordinary sensibilities and which renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(Ord. No. 11697, § 1, 3-22-00; Ord. No. 12010, § 1, 5-9-01)

Sec. 12:101. - Same—Enumerated.

The following acts, among others, are declared to create loud and raucous noises and shall be deemed a violation of this chapter, but such enumeration shall not be deemed to be exclusive:

- (1) The use of any abusive, indecent, profane, or vulgar language in a public place, when the language by its very utterance tends to incite an immediate breach of the peace.
- (2) The playing of any radio, phonograph, tape, compact disc, musical instrument or any other machine or device capable of producing or reproducing sound, from a stationary location in such a manner, or with such volume as to disturb the peace, quiet, comfort, or repose of persons in any dwelling, apartment, hotel, or other type of residence or in any public place.
- (3) The playing of any radio, phonograph, tape, compact disc, musical instrument or any other machine or device capable of producing or reproducing sound, audible at a distance of greater than twenty-five (25) feet which exceeds eighty-five (85) decibels, from a vehicle, on a public street, highway or public park in such a manner, as to disturb the peace, quiet, comfort, or repose of persons in any dwelling, apartment, hotel, or other type of residence; of persons in any other vehicle; or of persons in any public place.
- (4) The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle, except as a danger signal, as required by state law.
- (5) The use of any automobile, motorcycle, bus, streetcar, bus, or vehicle so out of repair or so loaded, which emits or creates loud grating, grinding, or rattling noise.
- (6) The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.
- (7) The discharge into the open air of the exhaust of any stationary steam engine, stationary internal combustion engine, or motor boat engine, except through a muffler or other device which will effectively and efficiently prevent loud noises.
- (8) The discharge into the open air of the exhaust from any motor vehicle except through a muffler, or other device, which will effectively and efficiently prevent loud and raucous noises.

- (9) The creation of loud and raucous noise by construction work in or adjacent to a residential area other than between the hours of 7:00 a.m. and sunset on weekdays and Saturdays, except in the case of urgent necessity in the interest of public safety for which permission must be obtained from the director of public works. Construction work includes, but is not limited to, the erection, excavation, demolition, alteration, or repair of any building.
- (10) The creation of loud and raucous noise on any street adjacent to any school or court which is in session or adjacent to any hospital; provided, that conspicuous signs are located in such streets indicating that schools, hospitals, and courts are adjacent thereto.
- (11) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of residentially zoned areas.

(Ord. No. 11697, § 1, 3-22-00; Ord. No. 12010, § 1, 5-9-01; Ord. No. 13552, § 1, 4-12-06; Ord. No. 17167, § 1, 9-25-19)

Sec. 12:102. - Use of bell, siren, compression, or exhaust whistle on vehicles.

No vehicle shall be equipped with and no person shall use upon a vehicle any bell, siren, compression or exhaust whistle, except those vehicles operated in the performance of duty by law enforcement officers, fire department personnel, emergency medical services personnel, and ambulances.

(Ord. No. 11697, § 1, 3-22-00; Ord. No. 12010, § 1, 5-9-01)

Sec. 12:103. - Loudspeakers and amplifiers.

- (a) A person commits an offense if he operates or causes to be operated any mechanical loudspeaker or sound amplifier in a public place or upon any public sidewalk, street, alley, or highway of the parish in violation of any of the following limitations and requirements:
 - (1) No mechanical loudspeaker or sound amplifier may be operated within one hundred fifty (150) feet of the property line of the premises of a residence, except between the hours of 8:00 a.m. and sunset, as designated by publication in a local newspaper of general circulation.
 - (2) A mechanical loudspeaker or sound amplifier may not emit unreasonably loud, raucous, jarring or disturbing noises so as to interfere with the enjoyment of life or property or to interfere with public peace and comfort.
 - (3) A mechanical loudspeaker or sound amplifier must be operated so as not to cause traffic congestion or congregation of crowds that obstructs any public sidewalk, street, alley, or highway.
 - (4) A mechanical loudspeaker or sound amplifier may not be operated within one hundred fifty (150) feet of any:
 - a. Hospital;
 - b. School that is in session;
 - c. Nursing home; or
 - d. Facility that provides surgical services to patients who do not require overnight hospital care during the hours of operation of the facility.
- (b) In this section:
 - (1) *Residence* means a single-family, duplex, or multifamily dwelling.

- (2) *Surgical services* means therapy of a mechanical or operative kind, including, but not limited to, operations involving cutting, the setting of fractures and dislocations, and similar manual forms of treatment.
- (c) If conduct that would otherwise violate this section consists of speech or other communication, of gathering with others to hear or observe such speech or communication, or of gathering with others to picket or otherwise express in a nonviolent manner a position on social, economic, political, or religious questions, the person must be ordered to move, disperse, or otherwise remedy the violation prior to arrest or citation.
- (d) The order required by subsection (c) may be given by a peace officer, a fireman, a person with authority to control the use of the premises, or any person directly affected by the violation.
- (e) It is a defense to prosecution under subsection (a) that:
 - (1) In circumstances in which this section requires an order, no order was given;
 - (2) An order, if given, was manifestly unreasonable in scope;
 - (3) An order, if given, was promptly obeyed;
 - (4) The mechanical loudspeaker or sound amplifier was operated in a public place within an enclosed structure and was not audible beyond the property line of the premises on which it was located;
 - (5) The person operating the mechanical loudspeaker or sound amplifier was a law enforcement officer or member of the fire department in the performance of official duties;
 - (6) The mechanical loudspeaker or sound amplifier was operated for the purpose of alerting persons to the existence of an emergency or danger; or
 - (7) The mechanical loudspeaker or sound amplifier was operated in the performance of emergency work necessary to restore public utilities, to restore property to a safe condition, or to protect persons or property from imminent danger, following a fire, accident, or natural disaster.

(Ord. No. 11697, § 1, 3-22-00; Ord. No. 12010, § 1, 5-9-01)

Sec. 12:104. - Penalty.

- (a) *Fine.* Whoever violates a provision of this section shall be fined two hundred dollars (\$200.00) for a first offense, and not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) for second and subsequent offenses.
- (b) *Surrender of license.*
 - (1) Upon conviction for a first offense, the court may order the violator to surrender to the law enforcement agency that arrested the violator or reported the violation the driver's license of the driver involved in the violation for a period not to exceed thirty (30) days. The violator shall be responsible for the for the retrieval of his driver's license from the law enforcement agency after the expiration of the period of surrender.
 - (2) Upon conviction for a second or subsequent offense, the court may order the violator to surrender to the law enforcement agency that arrested the violator or reported the violation the driver's license of the driver involved in the violation for a period not less than thirty (30) days nor more than ninety (90) days. The violator shall be responsible for the retrieval of his driver's license from the law enforcement agency after the expiration of the period of surrender.

(Ord. No. 12010, § 1, 5-9-01; Ord. No. 17167, § 1, 9-25-19)