

ORDINANCE NO. 0049

AN ORDINANCE DEFINING AND PROHIBITING NOISE NUISANCES WITHIN THE TOWN LIMITS OF THE TOWN OF HORIZON CITY, TEXAS AND REPEALING AND REPLACING ORDINANCE NO. 0049, PASSED ON JANUARY 11, 1994

WHEREAS, The Town of Horizon City desires to define and prohibit noise nuisances by persons or businesses and their patrons which is deemed to be a nuisance; and

WHEREAS, various businesses within the Town of Horizon City are located near or within residential areas; and

WHEREAS, the conduct at various businesses within the Town of Horizon City and conduct by individuals at private residences create a loud and disturbing noise affecting reasonably normal persons who reside in residential areas; and

WHEREAS, pursuant to Section 217.042 of the Texas Local Government Code entitled "Nuisance", the Town of Horizon City may define and prohibit any nuisance within the limits of the Town of Horizon City and within 5000 feet outside the territorial limits.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS that;

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this ordinance which defines and prohibits noise nuisances within the territorial limits of the Town of Horizon City.

I.

Any conduct which is engaged in by any individual or by any business or its patrons which creates a loud and disturbing noise which is not contained within the residential or business premises and affects reasonably normal persons who reside in surrounding residential areas is hereby declared to be a nuisance and hereby prohibited during the hours of 10:00 P.M. to 6:00 A.M. on Mondays, Tuesdays, Wednesdays, Thursdays and Sundays and during the hours of 12:00 A.M. to 6:00 A.M. on Fridays and Saturdays.

Loud and disturbing noise includes, but is not limited to:

1. Music played at a high volume which can be heard by the surrounding residents and disturbs a person of normal sensibilities;
2. Shouting or speaking at a high volume or pitch which can be heard by the surrounding residents and disturbs a person of normal sensibilities;
3. Racing of motor vehicles, or blaring of motor vehicle horns which can be heard by the surrounding residents and disturbs a person of normal sensibilities.