

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) CHAPTER 7.08, DISORDERLY CONDUCT, BY DELETING SUBSECTION 7.08.050(1).

WHEREAS, the City of Albany is deleting AMC Subsection 7.08.050(1), Unnecessary Noise, Keeping of Any Animal; and

WHEREAS, the language in AMC Subsection 7.08.050(1) is addressed in AMC Chapter 6.10, Keeping of Animals, Subsection 6.10.040(2).

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Amending AMC Title 7, Public Peace, Morals, and Safety. AMC Chapter 7.08, Section 7.08.050 is hereby amended as follows:

7.08.050 Unnecessary noise.

It is unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any loud, disturbing, or unnecessary noise in the City. The following acts are declared to be violations of this section, but such enumerations are not deemed to be exclusive:

- | ~~(1) The keeping of any animal which by frequent or loud continued noise disturbs the comfort and repose of any person in the vicinity;~~
- | (12) The use of any automobile, motorcycle, streetcar, or other vehicle, any engine, stationary or moving instrument, device, or thing so out of repair, so loaded, or operated in such manner as to create loud or unnecessary grating, grinding, rattling, or other noises;
- | (23) The sounding of any horn or signal device on any automobile, motorcycle, streetcar, or other vehicle on any street or public place of the City, except as a necessary warning or danger to property or person;
- | (34) The use of any mechanical device operated by compressed air, steam, or otherwise, unless the noise created thereby is effectively muffled;
- | (45) The erection, including excavation, demolition, alteration, or repair of any building, other than between the hours of 7:00 a.m. and 6:00 p.m., except upon special permit granted by the Common Council;
- | (56) Construction and activities ancillary to construction, not regulated under subsection (5) of this section or the Albany Standard Construction Specifications, including, but not limited to, preparation of materials, staging of construction equipment and apparatus, processing, preparing, or moving construction vehicles, equipment, or material, which generate sounds audible at any residentially zoned property; and which generate sounds for 30 minutes or more in any three-hour period between the hours of 6:00 p.m. and 7:00 a.m. This subsection does not apply to construction related activities performed by the City of Albany or pursuant to a City of Albany contract or those activities otherwise permitted by the Common Council;
- | (67) The use of any gong or siren upon any vehicle other than police, fire, or other emergency vehicle;
- | (78) The operation of any gasoline engine without having the same equipped with and using thereupon a muffler;
- | (89) The use of "muffler cutout" on any motor vehicle upon any street;

(910) The use or operation of any automatic or electric piano, phonograph, radio, loudspeaker, or any sound amplifying device so loudly as to disturb persons in the vicinity thereof or in such manner as renders the same a public nuisance; provided, however, that upon application to the City Manager permits may be granted to responsible persons or organizations to broadcast programs of music, news, speeches, or general entertainment;

(1011) The conducting, operating, or maintaining of any garage within 100 feet of any building used as a private residence, apartment house, rooming house, or hotel in such a manner as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. The foregoing acts are declared nuisances and any person violating any of the provisions of this section shall be deemed guilty of an offense. (Ord. 5761 § 1, 2011; Ord. 4937 § 1, 1990; Ord. 3873 § 1, 1975; Ord. 2823 § 43, 1958).

Passed by Council: Nov 9, 2016

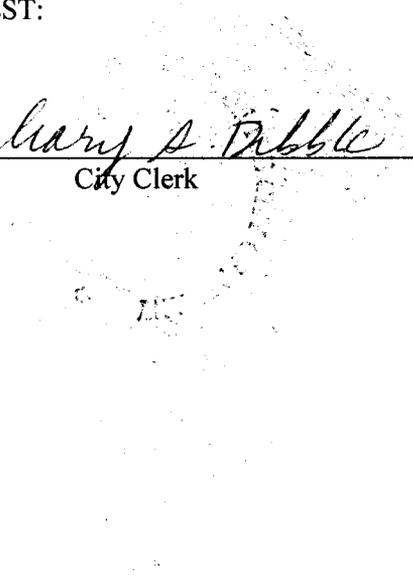
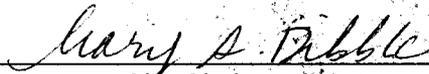
Approved by Mayor: Nov 9, 2016

Effective Date: Dec 9, 2016



Mayor

ATTEST:

City Clerk