

ARTICLE II: Sound Trucks and Sound Amplifying Equipment

Sec. 46-33, Paragraph (d), (e)

Use restrictions generally. Noncommercial use of sound trucks or other conveyances on any of the permitted streets in the city, with sound amplifying equipment in operation, shall be subject to the following regulations:

- (1) The only sounds permitted are music or human speech.
- (2) Operations are permitted for four hours each day, except on Sundays and legal holidays, when no operations shall be authorized. The permitted four hours of operation shall be between the hours of 11:30 a.m. and 1:30 p.m. and between the hours of 4:30 p.m. and 6:30 p.m.
- (3) Sound amplifying equipment shall not be operated unless the sound truck or other conveyance upon which such equipment is mounted is operated at a speed of at least ten miles per hour, except when such truck is stopped or impeded by traffic. Where stopped by traffic, the sound amplifying equipment shall not be operated for longer than one minute at each such stop.
- (4) Sound shall not be issued within 100 yards of hospitals, schools or churches.
- (5) No sound truck or other conveyance with its amplifying device in operation shall be operated on any street or on any public or private alley within the fire limits of the city as described in section 22-3.
- (6) The volume of sound shall be controlled so that it will not be audible for a distance in excess of 100 feet from the sound truck and so that the volume is not a nuisance to persons within the area of audibility; provided, however, that the limitation of audibility to a distance not in excess of 100 feet shall not apply to sound issued from aircraft.
- (7) No sound amplifying equipment shall be operated having an excess of 15 watts of power in the last stage of amplification.

(e) *Use in public squares, parks and recreation areas.* The regulations in subsection (d) of this section, insofar as applicable, shall apply to any noncommercial use of any sound amplifying equipment in public squares, parks and recreational areas, except that the hours for such use shall be between **2:00 p.m. and sunset on any day of the week, including Sundays and legal holidays, except for Winston Square and Corpening Plaza, where the hours of operation shall be unlimited.** No such sound amplifying equipment shall be used on any public playground in connection with any public school building on days in which such public building is being used for school purposes. Further, the volume of sound from sound amplifying equipment used in public squares, parks and recreational areas shall be controlled so that it will not be audible for a distance in excess of 300 feet from the sound amplifying equipment. (Code 1975, ' 14-16)

Sec. 46-36. Radios, tape players or similar devices operated in street or other public area.

(a) *Noise Limit.* No person shall cause, allow or permit the operating or playing of any radio, tape player or similar device that reproduces or amplifies sound in such a manner as to create noise at 50 feet from the device or vehicle containing that device when the device or vehicle is being operated in or on a public right-of-way or public space.

(b) *Exceptions.* This section shall not apply to the exceptions granted by section 46-3, 46-33 or 46-35. (Code 1975, ' 14-19)

8. A general statement as to the section of the City in or over which the sound truck or other conveyance will be used or the public square, parks, and recreational areas at which the sound amplifying equipment will be used:

9. The proposed hours of operation of the sound truck or other conveyance or sound-amplifying equipment:

Location/Park and hours:

(2:00 p.m. - sunset on any day of the week except for Winston Square and Corpening Plaza where the hours of operation shall be unlimited.)

10. The date(s) of proposed operation of the sound truck or other conveyance or sound-amplifying equipment:

11. A general description of the sound-amplifying equipment which is to be used:

12. A maximum, sound-producing power of the sound truck or other conveyance, or otherwise state the following:

1. The wattage to be use:

2. The volume in decibels of the sound which will be produced:

3. The approximate maximum distance for which sound will be thrown from the sound truck or other conveyance or sound-amplifying equipment:

Filed with the Recreation and Parks Director on

the ____ day of _____, 2

Recreation and Parks Director