

AN ORDINANCE AMENDING CHAPTER 215: OFFENSES; SECTION 215.310 PUBLIC DISTURBANCE NOISES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. CHAPTER 215 OFFENSES of the Municipal Code of the City of Richmond Heights, Missouri, is hereby amended to read as follows:

Section 215.310 Public Disturbance Noises

- A. No person shall cause nor shall any person in possession of property allow to originate from th[at] property, sound that is a public disturbance noise. The following sounds are hereby determined to be public disturbance noises:
1. Frequent, repetitive or continuous sounds made by any animal which unreasonably disturbs or interferes with the peace, comfort and repose of property owners or possessors except that such sounds made in animal shelters or commercial kennels, veterinary hospitals, pet shops or pet kennels licensed under and in compliance with the provisions of the Municipal Code of Ordinances shall be exempt from this Subsection; provided, that notwithstanding any other provision of this Section, if the owner or other person having custody of the animal cannot, with reasonable inquiry, be located by the investigating officer or if the animal is a repeated violator of this Subsection, the animal may be impounded;
 2. The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;
 3. The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine, within a residential district, so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property;
 4. The use of a sound amplifier or other device capable of producing or reproducing amplified sound upon public streets for the purpose of commercial advertising or sales or for attracting the attention of the public to any vehicle, structure or property or the contents therein, except as permitted by law.
 5. The making of any loud or raucous sound within one thousand (1,000) feet of any school, hospital, sanitarium, nursing or convalescent facility;

6. The creation by use of a musical instrument, whistle, sound amplifier or other device capable of producing or reproducing sound, of loud or raucous sounds which emanate frequently, repetitively or continuously from any building, structure or property located within the City, such as sounds originating from a band session or social gathering and without limiting the foregoing, any loud or raucous sounds from social gatherings between the hours of 11:00 p.m. and 9:00 a.m.;
7. The excavation for or erection, demolition, alteration or repair of any building or structure other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on **[Saturdays] weekends**, except in case of urgent necessity in the interest of public safety and then only with a permit from the Building/Zoning Administrator or Director of Public Works for a period not to exceed three (3) days which, however, may be renewed for like or less periods while the emergency continues.
8. **[No excavation for or erection, demolition, alteration or repair of any building or structure shall be performed on properties other than single-family and two-family homes on Sundays. Such work may be performed by the owner or occupant of single-family and two-family homes on Sundays between the hours of 10:00 a.m. and 6:00 p.m..]**
9. The operation of any **[gas-powered]** lawn mower, lawn care equipment, chain saw, wood chipper, stump grinder, leaf blower, or similar type of powered device before 7:00 a.m., or after 9:00 p.m. on weekdays and before 8:00 a.m., or after 9:00 p.m. on weekends, except that the use of electricity generators during extended power outages and equipment used in the **[removal of snow or]** care and maintenance of City property shall not be subject to such restrictions.

No sound source specifically exempted from a maximum permissible sound level by this Section shall be a public disturbance noise, insofar as the particular source is exempted.

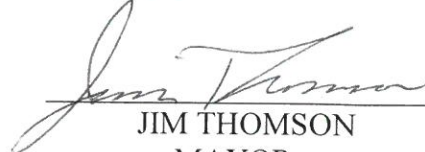
B. The following sounds are exempt from the provisions of this Section at all times:

1. Sounds originating from aircraft in flight;
2. Sounds created by safety or protective devices, such as relief valves, where noise suppression would defeat the safety release intent of the device;
3. Sounds created by fire or burglar alarms; and
4. Sounds created by emergency equipment and emergency work necessary in the interest of law enforcement or of the health, safety or welfare of the community, including but not limited to snow removal and other equipment involved in clearing streets, parking lots and driveways.

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.


SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage as provided by law.

PASSED and SIGNED this 17th day of June, 2019.

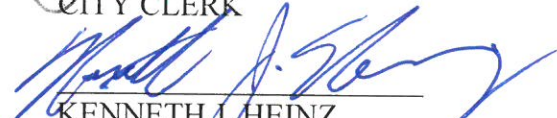


JIM THOMSON
MAYOR

ATTEST:



AMY HAMILTON
CITY CLERK



KENNETH J. HEINZ
CITY ATTORNEY

First reading: May 20, 2019
Tabled and not read: June 3, 2019
Second reading: June 17, 2019