

ORDINANCE NO. 3203

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE V, OF THE
CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION,
COLORADO
(EXCESSIVE NOISE)**

RECITALS: Noise is a significant source of environmental pollution that represents a present and increasing threat to the public peace and to the health, safety and welfare of the residents of the City of Grand Junction and its visitors. Noise has an adverse affect on the psychological and physiological well being of persons, thus constituting a present danger to the economic and aesthetic well being of the community. It is the policy of the Council to provide standards for permissible noise levels coming from car stereos and to prohibit noise in excess of those levels. Section 16-106 (a) of the City of Grand Junction Code of Ordinances makes it unlawful for a person to “make, continue or cause to be made or continued any unnecessary, unusually loud or unusual noise between the hours of 8:00 p.m. and 6:00 a.m. which either annoys, injures, or endangers the comfort, repose, health or safety of other persons.” This section also empowers the police department to make a “prima facie determination as to whether such noise constitutes a public nuisance.” The current ordinance does not adequately address the problem of excessive noise which comes from car stereos, nor does it give standards for determining what constitutes excessive noise, other than an officer’s discretion. The addition of standards for what constitutes unnecessary, unusually loud, or unusual noise from car stereos will promote the public welfare and safety of the citizens of the City in that it will allow the citizens to know what noises are prohibited, and will assist in enforcement of this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GRAND JUNCTION THAT:**

Section 16-106 of the Code of Ordinances of the City of Grand Junction, be amended as follows:

That a new Section 16-106 (d) be added to read:

(d) No person operating or occupying a motor vehicle on any street, highway, alley, parking lot, or driveway, either public or private property, shall operate or permit the operation of any sound amplification system, including, but not limited to, any radio, tape player, compact disc player, loud speaker, or any other electrical devise used for the amplification of sound from within the motor vehicle so that the sound is plainly audible.

- (i) For the purposes of this ordinance, “plainly audible” means any sound which clearly can be heard, by unimpaired auditory senses based on a direct line of sight of fifty (50) or more feet, however, words or phrases need not be discernable and said sound shall include bass reverberation.
- (ii) Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles, vehicles owned and operated by the City or any

utility company, for sound emitted unavoidably during job –related operation, or any motor vehicle used in an authorized public activity for which a permit has been granted by the appropriate agency of the City.

Introduced this 20th day of October 1999.

Passed and adopted this 3rd day of November, 1999.

/s/ Gene Kinsey
President of the Council

ATTEST:

/s/ Stephanie Nye
City Clerk