

NOT ADOPTED

ORDINANCE NO. 020-010

AN ORDINANCE OF THE CITY OF SAFFORD AMENDING SECTION 9.04.060 TO THE MUNICIPAL CODE PROHIBITING OFFENSIVE NOISES AND PROVIDING A PENALTY

Whereas, certain noises are offensive to the peace and quiet of the community and detrimental to the health and safety of the residents, and

Whereas, the City Council desires to preserve the peace and quiet and the health and safety of persons within the City and to define certain noises as a violation and prescribe a penalty.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, ARIZONA THAT THE MUNICIPAL CODE IS AMENDED AS FOLLOWS:

A. It is unlawful for a person **or entity** to create, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the city such as produces annoyance, inconvenience, discomfort or hurt to any person, or to the enjoyment of property or comfort of any person, or affects the health, safety or morale of the public. The following are examples of, but not an exclusive list of, noises that are declared to be loud, disturbing and unnecessary noises in violation of this section:

For the purpose of this section, "plainly audible" means any sound which clearly can be heard, by unimpaired auditory senses, however, words or phrases need not be discernible and said sound shall include bass reverberation. Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles, vehicles owned and operated by the government or any city 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 metropolitan government.

1. Commercial music or sound amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at a distance of 200 feet in any direction from the property line or location the noise is being produced whichever is greater between the hours of 10:00 p.m. and 8:00 a.m.

Self-contained, portable, vehicle stereo, hand-held music or sound amplification or reproduction equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 100 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.

The City of Safford does not issue permits for the use of amplified music or sound except for those activities occurring within the City of Safford that are approved by the City Council.

The City's noise ordinance and amplified sound ordinance are subject to enforcement by law enforcement personnel on scene at the time of the incident.

2. Operation of any vehicle, equipment, engine or motor in such a manner as to create loud and unnecessary grating, grinding, rattling, pounding or other noise, including the idling of diesel trucks and sound amplification mounted on or inside a motor vehicle;

3. Noise of any animal or bird which, by causing frequent or long continued noise disturbing the comfort and repose of any person in the vicinity;

4. Noise, verbally or otherwise, of any person or group of people which disturbs the peace, quiet or tranquility of a residential neighborhood, apartment complex or other residential area.

B. A violation of this section is a misdemeanor Municipal Code [Section 1.12.010](#). (Ord. 99-016)

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL of the City of Safford this 28th day of September 2020, with an effective date of October 31, 2020.

NOT ADOPTED

APPROVED:

Jason Kouts, Mayor, City of Safford

ATTEST:

APPROVED AS TO FORM:

Tamara Webster, CMC, City Clerk

William J. Sims, III, City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY that the foregoing Ordinance Number O20-010 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held September 28, 2020 with an effective date of October 31, 2020. A quorum of the Council was present at the meeting.

Tamara Webster, CMC, City Clerk

Date: