

**Section 18-7. - Provisions for specific nuisances.**

- (a) *Animals.* No domestic animals shall be permitted to run at large within the County limits. It shall be unlawful for any domestic animal to be running at large on the streets or sidewalks of the County, unless said domestic pet is under the control of a leash, collar, or chain. It shall be the responsibility of the owner of any domestic animal to provide a proper enclosure or structure secured from the ground to a sufficient height so that the animal cannot escape enclosure. All animal enclosures or yards shall at all times be kept in a clean condition to prevent any condition detrimental to the public health of the County. No person shall deposit or cause to be deposited, the carcass of any dead animal in the streets, roads, alleys, woods, or waters within the County limits.
- ~~(b) *Noise.* It shall be unlawful for any person to create or assist in creating, permit, or continue any unreasonably loud, disturbing, or unnecessary noise in the County. Noise of such character, intensity, and duration that is detrimental to the reasonable comfort, health, or life of any individual is prohibited. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises that constitute a public nuisance in violation of this chapter, and which shall be abated:~~
- ~~(1) The keeping or maintenance of any domestic animal which, due to prolonged or habitual barking, howling, whining, or other noises, causes annoyance to neighboring residents, or interferes with the reasonable use and enjoyment of the premises occupied by such residents, is hereby declared to be a public nuisance and shall be abated as provided in this chapter.~~
  - ~~(2) The sounding of any bell, horn, whistle, mechanical device operated by compressed air, or signal device while not in motion, except as a danger signal, for an unnecessary and unreasonable period of time.~~
  - ~~(3) The use of any siren, other than police, fire, or emergency vehicle.~~
  - ~~(4) The use or operation of any musical instrument, radio, loudspeaker, or sound amplifying device so loudly as to disturb persons in the vicinity thereof.~~
  - ~~(5) The creation of excessive noise on any street adjacent to any school, institution of learning, court, or religious congregation while the same are in session, or within 150 feet of a hospital which unreasonably interferes with the working of such institution.~~
  - ~~(6) The shouting or crying of peddlers, vendors, or residents which disturbs the peace and quiet of a residential area.~~
  - ~~(7) The use of any vehicle that is in a state of disrepair as to create loud or unnecessary grinding, rattling, backfiring, or other noise.~~
- (b) *Noise.* For the purposes of this ordinance, "Plainly Audible" shall mean any sound emanating from the specific sound-producing sources set forth below which can be heard from the distances set forth below, using the following sound measurement standards: Measurement shall be by the auditory senses of a person standing at a distance no less than the required minimum distance from the source of the sound. For music and other noise, words and phrases need not be discernable. For music and other noise, bass reverberations are included.
- (1) Restrictions of 200 feet for 7:00 a.m. through 11:00 p.m. Sunday through Thursday and 7:00 a.m. through 12:00 midnight on Friday and Saturday.
    - a. **Mechanical sound-making devices.** It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 200 feet or more from the building, structure or vehicle, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday

through Thursday and between the hours of 7:00 a.m. and 12:00 midnight on Friday and Saturday.

- b. **Human-produced sounds.** It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 200 feet or more from the place, building, structure, or in the case of real property, beyond the property limits, in which the person is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12:00 midnight on Friday and Saturday.
- c. **Commercial advertising.** It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 200 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12:00 midnight on Friday and Saturday.
- d. **Party noise.** It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or social event to produce noise in such a manner that such noise is plainly audible at a distance of 200 feet or more from the building or structure from which the noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12 midnight on Friday and Saturday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who resides in or on the premises involved in such party or social event and is present at such party or social event.

For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.

(2) Restrictions for 11:00 p.m. through 7:00 a.m. Sunday through Thursday and 12:00 midnight through 7:00 a.m. on Saturday and Sunday.

- a. **Mechanical sound-making devices.** It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible from the building, structure, or motor vehicle or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.
- b. **Human-produced sound.** It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible from the place on public streets and sidewalks, or in the case of private real property, beyond the property

limits, on which the person is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.

- c. **Commercial advertising.** It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.
- d. **Party noise.** It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or event to produce noise in such a manner so as to such noise is plainly audible from the building or structure from which the party noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.

For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who resides in or on the premises involved in such party or social event and is present at such party or social event.

For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.

- (3) Restrictions for areas within apartments, condominiums, townhouses, duplexes, or other such residential dwelling units.

Except for persons within commercial enterprises that have an adjoining property line or boundary with a residential dwelling unit, it is unlawful for any person to make, continue, or cause to be made or continued any noise in such a manner as to be plainly audible to any other person a distance of five feet beyond the adjoining property line wall or boundary of any apartment, condominium, townhouse, duplex, or other such residential dwelling units with adjoining points of contact.

For the purposes of this subsection, "noise" shall mean human-produced sounds of yelling, shouting, hooting, whistling, singing, or mechanically-produced sounds made by radio-receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing, or amplifying of sound, or any combination thereof.

For the purposes of this subsection, "property line or boundary" shall mean an imaginary line drawn through the points of contact of (1) adjoining apartments, condominiums, townhouses, duplexes or other such residential dwelling units with adjoining points owned, rented, or leased by different persons; or (2) adjoining common areas or adjoining exterior walls. Said property line or boundary includes all points of a plane formed by projecting the property line or boundary including the ceiling, the floor, and the walls.

Exceptions. Loud, disturbing, and unnecessary noises do not include noise or sound generated by the following:

- a. Cries for emergency assistance and warning calls.
- b. Radios, sirens, horns and bells on any emergency response vehicle.
- c. Activities on or in school athletic facilities and on or in publicly owned property and facilities, provided that such activities have been authorized by the owner of such property or facilities or its agent.
- d. Fire alarms and burglar alarms, prior to the giving of notice and a reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm.
- e. Religious worship activities, including but not limited to bells and organs, as long as such noise, because of its volume level, duration and character does not annoy, disturb, injure or endanger the comfort, health, peace or safety of a reasonable person of ordinary sensibilities.
- f. The operation of lawn mowers, edger's, trimmers, blowers, power-driven hedge shears, and other domestic power operated equipment when operated with a properly functioning muffler meeting manufacturer's standards, and when such operation is between the hours of 7:00 a.m. and 10:00 p.m.
- g. Operation of water craft upon any watercourse, lake, river, or swamp when operated in accordance with Georgia laws.
- h. Noise created during the ordinary course of operating lawfully permitted industrial businesses in industrial zoning classifications, or during the ordinary course of operating industrial businesses that have a vested right to continue operating in any other zoning classification. Noise that is not directly related to the industrial component of the business's operation and that otherwise violates this article shall be considered a violation of this article.
- i. Noise created during the ordinary course of operating agricultural operations or facilities that are lawfully permitted in agricultural zoning classifications, or during the ordinary course of operating agricultural operations or facilities that have a vested right to continue operating in any other zoning classification. Noise that is not directly related to the agricultural component of the agricultural operation or facility and that otherwise violates this article shall be considered a violation of this article.
- j. The Board of Commissioners may grant authorization for special events that would otherwise be prohibited by this article.

(c) *Litter and/or Illegal Dumping.* See: Chapter 24, Section 24-57 to Section 24-61.

Any one of these enumerated nuisances, if violated, would be a misdemeanor and could be prosecuted in the local court just as the violation of any other ordinances.