

TOWN OF WEST BLOCTON

ORDINANCE NO.: 2026-7-6

AN ORDINANCE TO REGULATE NOISE IN THE TOWN

WHEREAS, the Town of West Blocton has determined that it is in the best interest of the health and welfare of the community to ban nuisances related to noise;

WHEREAS, the Town of West Blocton has determined that to promote the prosperity and improve the morals, order, comfort and convenience of the inhabitants of the Town of West Blocton it is necessary to address the problem of excessive, unnecessary or unusually loud noises that are unusual and unnatural in their time and place disturbing the peace;

WHEREAS, it is the intent of the Town of West Blocton to endeavor to provide citizens with an environment free from such excess sounds or noise as may jeopardize their health, welfare and safety, or degrade the quality of life.

BE IT ORDAINED BY THE TOWN OF WEST BLOCTON AS FOLLOWS:

Section 1: Authority

This Noise Control Ordinance is approved and adopted by West Blocton, Alabama in the exercise of its general police powers under the laws of the State of Alabama, specifically including but not limited to Title I 1-45-1, et seq., Code of Alabama, 1975.

Section 2: Definitions

Construction activities shall mean any and all activity incidental to the construction, erection, demolition, assembling, altering, installing or equipping of buildings, structures, roads or appurtenances thereto, including land clearing, grading, excavating and filling.

Construction equipment shall mean construction activity utilizing any equipment or devices such as, but not limited to, pile drivers, power shovels, derricks, hoist tractors, loaders, rollers, concrete hauling motor vehicles, pavement breakers, bulldozers, crawler-tractors, rotatory drills and augers, cranes, ditchers, trenchers, scrapers, wagons, pumps, compressors, pneumatic power equipment, or other mechanical apparatus operated by fuel or electric power in the construction, repair or demolition of any building, structure, land, street, alley, or appurtenance thereto.

Device shall mean any mechanism which is intended to produce or which actually produces sound when operated or handled.

Domestic power equipment shall mean any equipment or device used for routine. home or building repairs and grounds maintenance.

Noise shall mean any sound which, by reason of its volume, pitch, frequency, duration or time of occurrence, annoys or disturbs the peace and quiet of reasonable persons of ordinary sensibilities.

Person shall mean and include any individual, corporation, association, partnership or limited partnership.

Property line shall mean the boundary line distinguishing ownership or the common wall of a townhouse, condominium or leased premises.

Residential district shall mean any area zoned or used primarily for residential purposes, including single-family residences, multi-family residences, mobile homes, duplexes, apartments, townhouses, condominiums, and other dwelling units, whether or not formally designated by zoning classification.

Sound shall mean that which is or can be heard, or particularly a temporal and spatial oscillation in pressure, or other physical quality, in a medium with internal forces that cause compression and rarefaction of that medium and which propagates at finite speed to distant points.

Sound-amplifying equipment shall mean any machine or device for the amplification of the human voice, music or any other sound or noise.

Section 3: Scope.

- (a) Except as authorized herein, it shall be unlawful for any person to make, continue, or cause to be made or continue to cause to be made any loud or excessive noise or vibrations, which unreasonably interferes with the comfort, health and/or safety of others within the city limits of the Town of West Blocton.
- (b) A violation may be established by the observation of a law enforcement officer or other competent evidence that the sound was plainly audible at the prohibited distance or location.
- (c) Approval or denial of any permit or authorization shall be based on content-neutral considerations, including the date, time, location, duration, expected attendance, traffic conditions, proximity to residences, public safety needs, and the availability of reasonable noise-control measures. No permit shall be granted or denied based upon the viewpoint, message, or content of any speech or expression.

Section 4: Noise in residential districts.

- (a) **General restriction.** It shall be unlawful for any person to use, operate or permit to be used or operated any device, construction or power equipment, radio, musical instrument, television, phonograph, drum, sound-amplifying equipment or device in such a manner as to be plainly audible beyond the property line or at a distance of fifty

(50) feet from the source between the hours of 10:00 pm and 6:00 a.m.

- (b) **Loud or raucous sounds or noises.** It shall be unlawful for any person to willfully make, cause or continue any noise which disturbs the peace or quiet of any residential district in such a manner as to be plainly audible between the hours of 10:00 p.m. until 6:00 a.m. at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city.
- (c) **Responsibility for creation of noise.** Any person creating any such sound or noise as described in this section and/or anyone permitting such a sound or noise to be created in, or emanate from, any premises under his care, custody or control shall be presumed responsible for any such sound or noise.
- (d) **Animal Noise.** It shall be unlawful for any person owning, keeping, harboring, or having custody or control of any animal to allow such animal to bark, howl, cry, whine, or make other repeated or continuous noise for more than thirty (30) minutes within any one-hour period in such a manner as to disturb the peace, quiet, or comfort of reasonable persons of ordinary sensibilities in the vicinity. A violation may be established by officer observation, audio or video evidence, or sworn complaint supported by sufficient facts.

Section 5: Exceptions.

- (a) **Emergency and public work.** Noise or sound created in the performance of public service by governmental agencies or their contractors; or emergency work engaged in by persons for the public safety, health or welfare; or to restore property to a safe condition following a public emergency; or work to restore essential public services, including construction activities directly related to the abatement of any emergency, shall not be subject to the provisions of this article.
- (b) **Noises from authorized activities.** The prohibitions of this article shall not apply to parades, cultural event, athletic games, state or county fairs, or functions conducted pursuant to a permit specifically approved by the West Blocton Town Council or other appropriate governmental agency. Issuance of a business license shall not constitute approval of, or authorization by the town council of the town within the meaning of this section.
- (c) **Sirens, horns and whistles.** The provisions of this article shall not apply to any siren, whistle, horn or bell used by emergency vehicles or civil defense or used by motor vehicles, trains and boats as warning devices to avoid collisions.
- (d) **Bells or chimes.** The provisions of this article shall not apply to any bell or chimes, or any device for the production or reproduction of the sound thereof which are associated with a clock or time-keeping device, a church or school.

- (e) **Burglar alarms.** The provisions of this article shall not apply to any burglar alarm or security device; provided, however, no burglar alarm or security device shall sound for more than fifteen (15) minutes after being activated.
- (f) **Construction activity or equipment.** The provisions of this article shall not apply to any construction activity or equipment operated between the hours of 6:00 a.m. to 10:00 p.m.
- (g) **Domestic power equipment.** The provisions of this article shall not apply to any domestic power equipment operated between the hours of 6:00 a.m. to 10:00 p.m.

Section 6: Noise on public streets generally.

It shall be unlawful for any person to use, operate, or permit to be used or operated in a motor vehicle any sound-amplifying equipment, including, but not limited to, radios, compact disc players and cassette tape players which produces or reproduces sound in such a manner as to be plainly audible more than fifty (50) feet from the vehicle on any public street or right-of-way in the corporate limits of the town.

Section 7: Violations/Punishment.

Any person, firm, or corporation found to be guilty of a violation of this Ordinance shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or six (6) months in jail, or both. Each violation of this Ordinance shall be deemed to be a separate offense.

Section 8: Enforcement.

This Ordinance may be enforced by any duly authorized law enforcement officer of the Town of West Blocton. An officer may issue a verbal warning, written warning, citation, or summons based upon the nature of the violation, the time of day, prior complaints, prior warnings, the duration of the noise, the severity of the disturbance, and whether the violation continues after notice. Nothing herein shall require a warning before issuance of a citation where the circumstances justify immediate enforcement.

Section 9: Ordinances in conflict.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby expressly repealed to the extent that they conflict with this Ordinance.

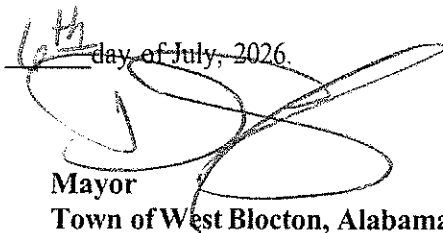
Section 10: Severability.

If any section, sentence, clause, word, or part of this Ordinance is for any reason declared to be unconstitutional in a court of competent jurisdiction, such decision shall not be construed to affect or invalidate or impair any remaining sections, sentences, clauses or phrases, or words of any part of this Ordinance not expressly declared unconstitutional.

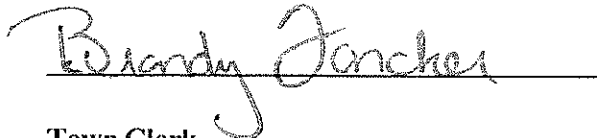
Section 11: Effective date.

This Ordinance shall become effective after its passage, approval, and publication.

APPROVED AND ADOPTED this the 16th day of July, 2026.


Mayor
Town of West Blocton, Alabama

ATTEST:


Town Clerk

