

~~(Notice Ordinance)~~

AN ORDINANCE Relating to and Regulating Sound Amplification Equipment, Sound Trucks, and Equipment Auxiliary Thereto; Describing the Powers and Duties of Officers and Others in Relation Thereto; Defining Offenses; and Providing Penalties.

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS  
FOLLOWS:

Sec. 1. Definition of words and phrases.

(a) The words "sound amplification equipment" as used herein shall mean any machine or device for the amplification of the human voice, music or any other noise or sound, but shall not be construed as including warning devices on authorized emergency vehicles used only for traffic safety purposes.

(b) The words "sound truck" as used herein shall mean any vehicle, having mounted thereon or attached thereto, any sound amplification equipment.

(c) The words "city", "Chief of Police", "streets", "hospitals" and "public grounds" as used herein shall mean the City of Bellevue and the Chief of Police, schools, public streets, etc. thereof.

(d) The words "commercial advertising" as used herein shall include any manner of announcement, or audible presentation, musical or otherwise, in which or in connection with which, the name of a business or commercial enterprise, sponsoring or paying for such presentation is mentioned, included or contained in the audible announcement or presentation, or painted or carried on the vehicle transporting the sound amplification equipment.

Sec. 2. Aircraft with sound amplification. No person shall operate or cause to be operated in and over the City any aircraft with sound amplification equipment in operation, the sound from which is plainly audible to persons on the streets or public grounds of said city, without a valid permit issued by the Chief of Police.

Sec. 3. Commercial or Political advertising by sound amplification. No person shall operate or cause to be operated for commercial advertising or political purposes, or dissemination of propaganda, argument or information on controversial subjects, within the city, any sound amplification equipment, the sound of which is plainly audible to persons on the streets or public grounds of said city.

Sec. 4. Advertising buildings or location by sound amplification. No person, for the purpose of attracting the attention of the public to any building, structure or location, shall operate or cause to be operated within the city, any amplification equipment, the sound from which is plainly audible to persons on the streets or public grounds of said city.

Sec. 5. The use of sound amplification in the vicinity of a church. No person, within one hundred fifty (150) yards of a school, during school hours, or church, during religious services or meetings, or hospital or rest home, at any time, shall operate or cause to be operated within the city, any sound amplification equipment, the sound from which is plainly audible to persons on the streets or public grounds of said city or to occupants of such school, church, hospital or rest home.

Sec. 6. Language of sound amplification restricted. No person shall operate or cause to be operated within the city, any sound amplification equipment, the sound from which is profane, lewd or indecent.

Sec. 7. Limitations and conditions upon use of sound amplification equipment. No person shall operate or cause to be operated, within the city, any sound amplification equipment, the sound of which is plainly audible to persons on the streets or public grounds of said city, for any purpose except as set forth in Sec. 8 of this ordinance.

(a) Such operation is forbidden on Sundays and legal holi-

days and between the hours of 5:00 P.M. and 8:00 A.M., except as an integral part of an authorized parade.

(b) Such sound truck shall be operated at a speed of at least ten (10) miles per hour, except when said truck is stopped or impeded by traffic, in which case the sound amplification equipment shall not be operated for longer than one (1) minute at each stop.

(c) Such sound truck shall not be operated over the same street or portion of any public grounds more than three (3) times in any one (1) day.

(d) The volume of sound from such sound truck shall be controlled so that it will not be audible for a distance in excess of one hundred (100) yards from the sound truck and so that said volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons, of normal sensibilities, within the area of audibility.

(e) Such equipment shall not be operated so as to be audible in any portion of a hospital or rest home, or other place prescribed by the Chief of Police where, in his discretion, he believes that such sound would be detrimental to the health, welfare or morals of any person or class of persons within the city.

Sec. 8. Application for Permits. Any person desiring to operate sound amplification equipment for purposes, other than those prohibited in Secs. 3-7 within the city shall file with the Chief of Police, an application for a permit and shall provide the following information:

a) The name, address and place of business of the applicant, and the owner or operator of the equipment.

b) A general description of the equipment and the purpose for which it is to be used.

c) The license and motor number of any automotive equipment and/or other equipment which carries a motor number and designate the streets upon which the same are to travel.

d) A general statement as to location and size of area which will be occupied by any lawful assemblage voluntarily assembled for the purpose of listening to sound amplification equipment operated from a stationary installation.

e) A statement designating the proposed time or times that such sound amplification equipment will be in operation.

f) The approximate maximum distance for which sound will be thrown from the sound amplification equipment during the proposed operation.

If the Chief of Police finds from the application that the proposed use of sound amplification equipment will not be in violation of the ordinances of this city, and that such sound amplification equipment will be operated in accordance with the terms of this ordinance and the permit issued hereunder, a permit shall be issued, upon payment of a permit fee of \$2.50, which shall be valid for the period and place therein stated, provided that no permit shall be valid for a period in excess of five (5) days.

Sec. 9. Penalties provided for violations. Any person who violates any provision of this section shall be deemed guilty of a misdemeanor and upon conviction, shall be fined not more than three hundred dollars (\$300.00) nor five days in jail.

Sec. 10. Effect of partial invalidity. If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Sec. 11. Short title. This ordinance may be known and cited as the sound amplification control Ordinance.

Sec. 12. This ordinance shall take effect and be in force five days after its passage, approval, and publication.

PASSED by the City Council on the 26th day of January,

19 54, and signed in authentication of its passage this 26th day  
of January, 19 54.

Approved as to form:

Kenneth H. Cole  
City Attorney

Charles J. Ford  
Mayor

(SEAL)

FILED January 27, 1954

CITY OF BELLEVUE

William L. Lee  
Councilman

DATE Helen R. Miller  
City Clerk

Helen R. Miller  
City Clerk

Robert J. Frazier  
Councilman

Date of publication: January 28, 1954