

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. OFFENSES AGAINST THE PEACE AND QUIET.
2. MISCELLANEOUS.

CHAPTER 1

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

- 11-101. Disturbing the peace.
- 11-102. Anti-noise regulations.
- 11-103. Violation and penalty.
- 11-104. Rules of the road adopted.

11-101. Disturbing the peace. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive, or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control.

11-102. Anti-noise regulations. Subject to the provisions of this section, the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) Blowing horns. The sounding of any horn or other device on any automobile, motorcycle, bus, truck, or vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

¹Municipal code references

Fireworks and explosives: title 7.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of person in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, etc. Yelling, shouting, whistling, or singing on the public streets, particularly between the hours of 11:00 P.M. and 7:00 A.M., or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any person in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.

(d) Pets. The keeping of any animal, bird, or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(e) Use of vehicle. The use of any automobile, motorcycle, truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 A.M. and 6:00 P.M. on week days, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector granted for a period while the emergency continues not to exceed thirty (30) days. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M., and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the process of the work.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.

(j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.

(k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale or display of merchandise.

(l) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) City vehicles. Any vehicle of the city while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the city, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations.

11-103. Violation and penalty. A violation of any provision of this chapter shall subject the offender to a penalty of up to one hundred dollars (\$100) for each offense.

11-104. "Rules of the road" adopted. By the authority granted under Tennessee Code Annotated, § 55-10-307, the City of Elkton adopts by reference as if fully set forth in this section, the Rules of the Road as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-180. Additionally, the City of Elkton adopts Tennessee Code Annotated, §§ 55-8-151 through 55-8-193 by reference as if fully set forth in this section. (as added by Ord. #04-07, Feb. 2007)

CHAPTER 2

MISCELLANEOUS

SECTION

11-201. Curfew for minors.

11-202. Exceptions.

11-201. Curfew for minors. Except as is hereafter provided, no person who is between the ages of six (6) years and eighteen (18) years shall be allowed on the public streets of Elkton or in places of business in Elkton during the following hours:

10:00 P.M. on Monday to 5:00 A.M. on the following Tuesday

10:00 P.M. on Tuesday to 5:00 A.M. on the following Wednesday

10:00 P.M. on Wednesday to 5:00 A.M. on the following Thursday

10:00 P.M. on Thursday to 5:00 A.M. on the following Friday

11:00 P.M. on Friday to 5:00 A.M. on the following Saturday

11:00 P.M. on Saturday to 5:00 A.M. on the following Sunday

10:00 P.M. on Sunday to 5:00 A.M. on the following Monday.

(Ord. #I-99, Jan. 1999)

11-202. Exceptions. Any minor child shall be excused from the curfew aforementioned if:

(1) They are accompanied by a parent or guardian;

(2) Going to or from their place of employment;

(3) Going to or from a school activity; or

(4) Going to or from a church activity. (Ord. #I-99, Jan. 1999)