

AN ORDINANCE TO AMEND CHAPTER 21, SECTION 33 OF THE LAS VEGAS CITY CODE PROVIDING FOR "REGULATING AND PROHIBITING YELLING, SHOUTING, ANNOUNCING, MUSIC AND OTHER NOISES ON THE PUBLIC STREETS AND OTHER PUBLIC PLACES IN THE CITY OF LAS VEGAS; PROHIBITING DISTURBANCES ON THE STREETS BY SAID NOISES; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND OTHER MATTERS RELATING THERETO" BY ADDING THERETO A NEW SUBSECTION TO BE KNOWN AS 'SUB-SECTION (2) (d)'.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. Chapter 21, Section 33, of the Las Vegas City Code is hereby amended to read as follows:

Subject to the provisions of this section, the creating of any unreasonably loud, disturbing and unnecessary noise within the limits of the city 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.

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

(1) Prohibited noises enumerated.

(a) The sounding of any horn or signal device on any automobile, motorcycle or bus, 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.

(b) The playing of any radio, phonograph or any musical instrument 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 persons in any office, hospital or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(c) Yelling, shouting, hooting, 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 persons in any hospital, dwelling, hotel or any other type of residence or of any persons in the vicinity.

(d) 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) The use of any automobile or motorcycle, so but if repair, so loaded or in such manner as to cause loud and unnecessary grinding, grinding, rattling or other noise.

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

(h) The erection (including excavation), demolition, alteration or repair of any building in any residential district or section, the

CITY  
CLERK'S  
FILE

412  
excavation of streets and highways in any residential district 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, which permit may be granted for a period not to exceed thirty days while the emergency continues. 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 within 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, he may grant permission for such work to be done within 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 progress of the work.

(i) The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof.

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

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

(l) 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) Any vehicle of the city while engaged upon necessary public business.

(b) Excavations or repairs of bridges, streets or highways by or on behalf of the City, Clark County or the State of Nevada, during the night season, when the public welfare and convenience renders it impossible to perform such work during the day.

(c) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character; provided, that a permit therefor has been first obtained from the Board of Commissioners.

(d) Provided that public dissemination through radio loudspeakers, of items of news and matters of public concern and athletic activities shall not be deemed a violation of this section if the same be done under permission obtained from the Board of Commissioners.

Section 2. This Ordinance is declared and passed as an emergency ordinance, and shall take effect immediately after its passage and publication.

Section 3. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this Ordinance No. 412 to be pub-

lished once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in the City of Las Vegas.

APPROVED

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 25th day of April, 1950, and referred to the following committee composed of Commissioners \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 1950, which was the \_\_\_\_\_ meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 1950, that at said Special meeting held on the 25th day of April, 1950, the proposed ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Dunbar, Moore, Beaman  
Whipple and His Honor

Voting "Nay": None

Absent: None

APPROVED

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

**EMERGENCY ORDINANCE NO. 412**

An Ordinance to Amend Chapter 21 Section 33 of the Las Vegas City Code Providing for "Regulating and Prohibiting Yelling, Shouting, Announcing, Music and Other Noises on the Public Streets and Other Public Places in the City of Las Vegas; Prohibiting Disturbances on the Streets by Sald Noises; Providing a Penalty for the Violation of this Ordinance and Other Matters Relating Thereto" by Adding Thereto a New Subsection to be Known as 'Sub-Section (2) (d)'.  
The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. Chapter 21, Section 33, of the Las Vegas City Code is hereby amended to read as follows:

Subject to the provisions of this section, the creating of any unreasonably loud, disturbing and unnecessary noise within the limits of the city 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.

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

(1) Prohibited noises enumerated.

(a) The sounding of any horn or signal device on any automobile, motorcycle or bus, 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.

(b) The playing of any radio, phonograph or any musical instrument 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 persons in any office, hospital or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(c) Yelling, shouting, hooting, 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 persons in any hospital, dwelling, hotel or any other type of residence or of any persons in the vicinity.

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

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

*Carl Woodbury*, being first duly sworn,

deposes and says: That he is *Auditor* of the LAS VEGAS EVENING REVIEW-JOURNAL, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published

in said newspaper for a period of *2 insertions* from *April 28, 1950* to *May 5, 1950*

inclusive, being the issues of said newspaper for the following dates, to-wit: *April 28 and May 5, 1950*

That said newspaper was regularly issued and circulated on each of the dates above named

Signed *Carl Woodbury*

Subscribed and sworn to before me this *5th* day of *May, 1950*

*B. Callan*  
Notary Public in and for Clark County, Nevada.

My Commission Expires

*January 12, 1951*

(h) The erection (including excavation), demolition, alteration or repair of any building, in any residential district or section, the excavation of streets and highways in any residential district 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, which permit may be granted for a period not to exceed thirty days, while the emergency continues. 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 within 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, he may grant permission for such work to be done within 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 progress of the work.

(i) The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings or sessions thereof.

(j) The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the

opening and destruction of bales, boxes, crates and containers.

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

(1) 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) Any vehicle of the city while engaged upon necessary public business.

(b) Excavations or repairs of bridges, streets or highways by or on behalf of the City, Clark County or the State of Nevada, during the night season, when the public welfare and convenience renders it impossible to perform such work during the day.

(c) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are non-commercial in character; provided, that a permit therefor has been first obtained from the Board of Commissioners.

(d) Provided that public dissemination through radio loudspeakers, of items of news and matters of public concern and athletic activities shall not be deemed a violation of this section if the same be done under permission obtained from the Board of Commissioners.

Section 2. This Ordinance is declared and passed as an emergency ordinance, and shall take effect immediately after its passage and publication.

Section 3. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this Ordinance No. 412 to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review-Journal, a daily newspaper published in the City of Las Vegas.

APPROVED:

E. W. CRAGIN,  
Mayor.

ATTEST:  
SHIRLEY BALLINGER,  
City Clerk.

The above and foregoing Ordinance was first proposed and read to the Board of Commissioners on the 25th day of April, 1950, and adopted by the following vote:

Voting 'Aye': Commissioners Bunker, Moore, Peccole, Whipple and His

Honor.

Voting 'Nay': None.

Absent: None.

APPROVED:

E. W. CRAGIN,  
Mayor.

ATTEST:  
SHIRLEY BALLINGER,  
City Clerk.  
a28; m5