

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 98**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, RELATING
TO PUBLIC DISTURBANCES FROM NOISE, DEFINING A PUBLIC NUISANCE
NOISE, CREATING EXCEPTIONS, PROVIDING A PENALTY AND OTHER
MATTERS PROPERLY RELATED THERETO.**

WHEREAS, excessive noise causes harmful effects to the health and welfare of persons exposed to such sound and adversely affects the peace and comfort of the City;

WHEREAS, excessive noise from various sources including portable and motor vehicle audio equipment is unreasonably annoying, injurious and interferes with the comfort, repose, health and safety of the community including the use and enjoyment of property;

WHEREAS, the City is desirous of prohibiting public nuisance noise in order to promote the best interest of the citizens of Liberty Lake.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. No person shall cause or make while on private or public property sound that is a public nuisance noise. The following sounds are determined to be public nuisance noises.

A. Sound from a motor vehicle audio system, such as a radio, tape player or compact disc player, which is operated at such a volume so as to unreasonably annoy, injure, interfere with or endanger the comfort, repose, health or safety of any person or be clearly heard by any person at a distance of seventy-five (75) feet or more from the vehicle or the source of the sound.

B. The frequent, repetitive or continuous sounding of any horn, siren or loud speaker, except as a warning of danger or as specifically permitted by law.

C. The use of a loud speaker or sound amplifier or other device which produces amplified sound upon streets for the purpose of commercial advertising or sales or for attracting the attention of the public to any vehicle, structure or property or the contents therein provided that vendors whose sole method of selling a product is from a moving vehicle shall be exempt from this subsection.

D. The operation of a motor vehicle upon City streets in violation of standards set forth in WAC Chapter 173-62 which is hereby adopted by this reference.

E. Sounds which unreasonably annoy, injure, interfere with or endanger the comfort, repose, health and safety of any person.

Section 2. Exceptions. The following sounds are exempt from this ordinance.

A. Sounds originating from aircraft.

B. Sounds created by emergency equipment, fire alarms or sirens used in

connection with emergency management or law enforcement activities.

- C. Sounds created by construction equipment during the hours of 6:00 a.m. to 8:00 p.m. provided the sounds are in conformance with State law, RCW Chapter 70.107.
- D. Sounds created by the lawful discharge of fireworks.
- E. Sounds originating from authorized public events.
- F. Sounds which do not unreasonably annoy, injure, interfere with or endanger the comfort, repose, health and safety of any person.

Section 3. Penalty. A violation of this ordinance is declared to be a Class 2 Civil Infraction pursuant to RCW Chapter 7.80.

Section 4. Definitions. The following definitions are adopted for the purpose of this ordinance.

“Motor Vehicle” means any self-propelled vehicle used primarily for transporting persons or property that is required to be licensed under the laws of Washington.

“Noise” means the intensity, duration and character of sounds from any and all sources.

“Person” means any individual, firm, association, partnership, corporation or any other entity public or private including law enforcement officers.

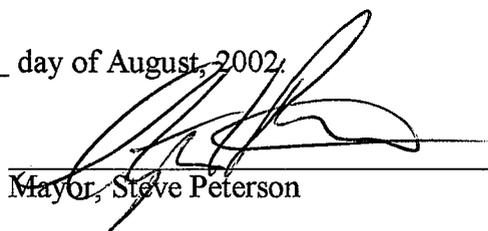
“Public Nuisance Noise” means any sound which unreasonably either annoys, injures, interferes with or endangers the comfort, repose, health or safety of any person regardless of the degree or severity of any annoyance, interference or damage.

“Street” means the right of way owned or occupied by the City or other agency with jurisdiction when such right of way is opened for the use of the public for pedestrian or vehicular travel.

Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

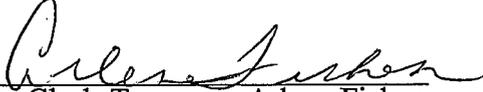
Section 6. Severability. If any section, sentence, clause or phrase of this resolution shall be held to be invalid or unconstitutional by a court of confident jurisdiction, such invalidity or unconstitutionality shall not effect the validity or unconstitutionality of any other section, sentence, clause or phrase of this resolution.

PASSED by the City Council this 20th day of August, 2002.

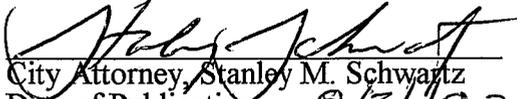


Mayor, Steve Peterson

ATTEST:


City Clerk-Treasurer, Arlene Fisher

APPROVED AS TO FORM:


City Attorney, Stanley M. Schwartz
Date of Publication: 8/31/02
Effective Date: 9/5/02

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**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 98 passed by the City of Liberty Lake City Council on the 20th day of August, 2002.

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, RELATING
TO PUBLIC DISTURBANCES FROM NOISE, DEFINING A PUBLIC NUISANCE
NOISE, CREATING EXCEPTIONS, PROVIDING A PENALTY AND OTHER
MATTERS PROPERLY RELATED THERETO.**

The introductory paragraphs state the City desires to prohibit public nuisance noise to promote the best interest of the citizens.

Section 1 identifies sounds which are deemed to be a public nuisance.

Section 2 exempts sounds from operation of the ordinance.

Section 3 provides that a violation is a Class II civil infraction.

Section 4 establishes definitions which include "motor vehicle", "noise", "person", "public nuisance noise" and "street".

Section 5 states this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

Section 6 establishes a severability clause in the event some portion of the Ordinance is held invalid.

The full text of the Ordinance is available at the City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.



Arlene Fisher
City Clerk-Treasurer

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