

**PROPOSAL TO AMEND
THE CODE OF ORDINANCES,
TOWN OF ROLESVILLE, NORTH CAROLINA
Case Number TA 19-05**

WHEREAS, North Carolina General Statute Section 160A-184 authorizes local governments by ordinance to regulate, restrict, or prohibit the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten its citizens;

WHEREAS, the Town of Rolesville Board of Commissioners firmly believes that it is in the public interest to amend its ordinance regulating unnecessary noise as described herein below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF
COMMISSIONERS OF THE TOWN OF ROLESVILLE, NORTH CAROLINA:**

SECTION 1. That Section 130.04 of Article 130 be amended to read as follows:

- Addition
- Deletion
- Alteration (additions are *italicized* and deletions are ~~(struck through)~~)

Section 130.04: UNNECESSARY NOISE.

(A) It shall be unlawful for any person to create or assist in creating, permit, continue, or permit the continuance of any unreasonable loud, disturbing, and unnecessary noise in the town. Noise of such character, intensity, and duration as to be detrimental to the life or health of any individual is prohibited.

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

(1) The sounding of any horn or signal device including compression release engine or transmission braking system or any device on any automobile, truck, bus, or other 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 applied and deceleration of the vehicle is intended; the creation by means of such device of any unreasonable loud or harsh sound; or the sounding of such a device for an unnecessary and unreasonable period of time;

(2) The use of any gong or siren upon any vehicle, other than police, fire, or other emergency vehicle;

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. .

(9) The erection (including excavating, except for activities described in paragraph (9a) below), demolition, alteration, or repair of any building ~~in a residential or business district~~ other than between the hours of 7:00 a.m. and 6:00 p.m. ~~on weekdays~~, following hours:

- (i) 7:00 a.m. and 7:00 p.m. - Monday through, and including Friday, and
- (ii) 8:00 a.m. and 6:00 p.m. - Saturday,

except in the case of urgent necessity in the interest of public safety and then only with a permit from the ~~Building Inspector~~ Town Manager, or his designee, which permit may be renewed for a period of 3 days or less while the emergency continues;

(9a) The blasting, hammering, drilling or similar destruction of rock other than between the following hours:

- (i) 9:00 a.m. and 6:00 p.m. - Monday through, and including Friday, and
- (ii) 10:00 a.m. and 6:00 p.m. - Saturday;

SECTION 2. Effective Date. This ordinance shall become effective on the date of its adoption by the Board of Commissioners.

Adopted this ___ day of _____, 2019 by the Town of Rolesville Board of Commissioners.

Frank Eagles
Town of Rolesville Mayor

CERTIFICATION

I, _____, Town Clerk for the Town of Rolesville, North Carolina, do hereby certify the foregoing to be a true copy of an ordinance duly adopted at the meeting of the Town Board of Commissioners held on this ___ day of _____, 2019.

In witness whereof, I have hereunto set my hand and caused the seal of the Town of Rolesville to be affixed this ____ day of _____, 2019.

(seal)

Robin Peyton
Town Clerk