

ORDINANCE NO. 20-1121

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY
OF DOUGLAS, COCHISE COUNTY, ARIZONA, MODIFYING
TITLE 8 OF THE DOUGLAS MUNICIPAL CODE RELATING TO
HEALTH AND SAFETY BY AMENDING ORDINANCE 616 UNDER
CHAPTER 8.28 REGULATING NOISE, ESTABLISHING
SEVERABILITY OF COMPONENTS OF ORDINANCE; AND
ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, outdoor environmental noise is becoming a concern in our communities, and cities are finding the need to address this concern by introducing clear, fair and obtainable noise ordinances.

WHEREAS, the need to educate the community, and building owners concerning the use of environmental noise control products and solutions has become of great importance in our residential districts.

WHEREAS, noise ordinances are designed to limit the allowable noise level(s) at different times of the day. The maximum allowable noise levels are typically higher during daytime hours and lower during nighttime hours and are an extremely important part of the community's overall health and welfare.

WHEREAS, violations of noise ordinances are typically reported to the police or other law enforcement agency and are followed by a site visit, and may include recording of sound levels as part of an investigation and based on the findings, the agency may issue fines and enforce corrective action be taken by the owner.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Douglas, Arizona, as follows:

Section 1. In order to limit the allowable noise level(s) at different times of the day, under, Title 8, Chapter 8.28, of the Douglas Municipal Code is hereby amended to read in its entirety as follows (language additions are shown in colored print, and language deletions are shown in strikeout), as noted on Exhibit "A":

Section 2. All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. Effective date: This Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

Section 4. Severability: If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, this 14th day of October, 2020.

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Donald C. Huish, Mayor

Attest:



Alma Andrade, Acting City Clerk

Approval as to form:


Juan Pablo Flores, City Attorney

Juan Pablo Flores, City Attorney