

TOWN OF PIERCE, COLORADO
ORDINANCE NO. 2021-02

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 9
OF THE PIERCE MUNICIPAL CODE BY THE REPEAL
AND REENACTMENT OF SECTION 10-9-10, UNLAWFUL
NOISE.**

WHEREAS, the Board of Trustees finds it necessary and in the best interest of the residents of the Town of Pierce to regulate noise within the Town of Pierce.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PIERCE, COLORADO, as follows:

1. Repeal and Reenactment of Pierce Municipal Code Section 10-9-10. Section 10-9-10 of the Pierce Municipal Code is repealed and reenacted to read as follows:

Section 10-9-10. – Unlawful noise.

- (a) It is unlawful for any person to use any sound-amplifying device, radio, stereo or other instrument in such a manner and with such volume so that the noise can be heard beyond 25 feet from the property line of the parcel of property from which such noise is emitted after the hour of 10:00 p.m. and before the hour of 8:00 a.m.
- (b) No person shall make, continue or cause to be made or continued any unreasonable noise; and no person shall knowingly permit such noise upon any premises owned or possessed by such person or under such person's control. For purposes of this Section, members of the Police Department are empowered to make a prima facie determination as to whether a noise is unreasonable.

2. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance in each part, section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more parts, sections, subsections, clauses or phrases be declared invalid.

3. Interpretation. This ordinance shall be so interpreted and construed to effectuate its general purpose pursuant to the laws of the State of Colorado.

4. Publication. The Town Clerk shall certify to the passage of this Ordinance and cause notice of its contents and passage to be published.

5. Effective Date. Except as otherwise specifically provided herein, the provisions enacted by this Ordinance shall become effective thirty (30) days after publication as provided by law.

PASSED, ADOPTED AND APPROVED THIS 11th DAY OF OCTOBER, 2021.

TOWN OF PIERCE

By: *Nancy Cron*
Mayor

ATTEST:

Town Clerk

sent for publication 10/22/21