

AN ORDINANCE OF THE CITY OF STAR, ADA AND CANYON COUNTIES, IDAHO, AMENDING TITLE 3 OF THE STAR CITY CODE, ALLOWING FOR REPEAL; ALLOWING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, be it ordained by the Mayor and City Council of the City of Star, in Canyon & Ada Counties, in the State of Idaho, as follows:

SECTION 1: “TITLE 3 HEALTH & SANITATION” (Amended)

Hereby amended as follows:

SECTION 3-2-2: Definitions

CONTINUOUS NOISE: Any noise that lasts for thirty (30) minutes or longer.

~~PLAINLY AUDIBLE: Sound for which the information content is clearly communicated to the listener, including, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal comprehensible musical rhythms, melody, or instrumentation, and the source of which is identifiable to the listener. Any sound that can be detected by a person using his or her unaided hearing facilities.~~

SECTION 3-2-3: Prohibited Acts, Noise Other than the specific noises enumerated in section 3-2-4 of this chapter, between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M., it shall be unlawful for any person or business to make or cause loud or offensive noise by means of voice, musical instrument, horn, radio, loudspeaker, automobile, machinery, other sound amplifying equipment, or any other means which disturbs the peace, quiet, and comfort of any reasonable person ~~of normal sensitiveness residing in the area.~~ Loud or offensive noise is ~~that which~~ a noise that is plainly audible within any residence, other than the source of the sound, or upon a public right of way or street at a distance of one hundred feet (100') or more from the source of such sound.

SECTION 3-2-4: Specific Noises Enumerated

C. Construction: The erection, excavation, demolition, alteration or repair of any building or structure other than between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. daily, except in the case of urgent necessity in the interest of public health or safety. Failure to comply with these requirements may result in a stop work order.

~~D. Demolition: The demolition, repair, or alteration of a motor vehicle or part thereof in connection with which there is produced any frequent, excessive and unreasonable noise disturbing to the nearby residential property.~~

H. Motor Vehicle Mechanic Work: The demolition, repair, or alteration of a motor vehicle or part thereof in connection with which there is produced any frequent, excessive, and unreasonable noise disturbing the nearby residential property.

L. Radios: The playing of any radio, phonograph, musical instrument, or similar device in such manner or with such volume as to disturb the peace, quiet, comfort or repose of any citizen. Failure to comply with these requirements may result in a stop work order.

SECTION 2: REPEALER CLAUSE All ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from date of passage, publication, and signature of the Mayor according to law.

PASSED AND APPROVED BY THE CITY OF STAR MAYOR AND CITY COUNCIL ON _____.

	Aye	Nay	Absent	Abstain
Kevan Wheelock				
David Hershey				
Jennifer Salmonsens				
Kevin Nielsen				

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk / Treasurer