

ORDINANCE NO. 694

AN ORDINANCE RELATING TO SOUND TRUCKS AND SOUND AMPLIFYING EQUIPMENT: REGULATING THE USE OF AND REQUIRING REGISTRATION STATEMENTS FOR REGISTRATION OF SOUND TRUCKS USED FOR NON-COMMERCIAL PURPOSES; PROHIBITING THE USE OF SOUND TRUCKS FOR COMMERCIAL AND/OR POLITICAL PURPOSES; DEFINING OFFENSES AND IMPOSING PENALTIES.

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. (a) The word "person" as used herein shall include the singular and plural and shall also mean and include any person, firm, corporation, association, club, partnership, society or any other form of association or organization.

(b) The words "sound truck" as used herein shall mean any motor vehicle, horse-drawn vehicle or other vehicle having mounted thereon, or attached thereto, any sound amplifying equipment.

(c) The words "sound amplifying equipment" as used herein shall mean any machine or device for the amplification of the human voice, music, or any other sound. "Sound amplifying equipment" as used herein shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed, or warning devices on authorized emergency vehicles, or horns or other warning devices on other vehicles used only for traffic safety purposes.

Section 2. (a) Registration statement. No person shall use, or cause to be used, a sound truck with its sound amplifying equipment or sound amplifying equipment in operation for non-commercial purposes in the City of Kirkland before filing a registration statement with the City Clerk in writing. This registration statement shall be filed in duplicate and shall state the following:

- (1) Name and home address of the applicant.
- (2) Name and address of person who owns the sound truck.
- (3) The purpose for which the sound truck will be used.
- (4) The proposed hours of operation of the sound truck.
- (5) The number of days of proposed operation of the sound truck.

(6) A general description of the sound amplifying equipment which is to be used.

(b) Registration statement amendment. All persons using or causing to be used, sound trucks for non-commercial purposes shall amend any registration statement filed pursuant to Section 2(a) within forty-eight (48) hours after any change in the information therein furnished.

(c) Registration and identification. The City Clerk shall return to each applicant under Section 2 (a) of this ordinance, one copy of said registration statement duly certified by the City Clerk as a correct copy of said application. Said certified copy of the application shall be in the possession of any person operating the sound truck at all times while the sound truck's sound amplifying equipment is in operation and said copy shall be promptly displayed and shown to any policeman of the City of Kirkland upon request.

(d) Regulations for use. Non-commercial use of sound trucks or sound amplifying equipment in the City of Kirkland with sound amplifying equipment in operation shall be subject to the following regulations:

(1) Operations are permitted for four (4) hours each day, except on Sundays and legal holidays when no operations shall be authorized. The permitted four (4) hours of operation shall be between the hours of 11:30 A.M. and 1:30 P.M. and between the hours of 4:30 P.M. and 6:30 P.M.

(2) Sound amplifying equipment shall not be operated unless the sound truck upon which such equipment is mounted is operated at a speed of at least ten (10) miles per hour except when said truck is stopped or impeded by traffic. Where stopped by traffic the said sound amplifying equipment shall not be operated for longer than one minute at each such stop. Sound amplifying equipment must be operated by a person other than the driver of the sound truck while it is in motion.

(3) Sound shall not be issued within one hundred (100) yards of hospitals, schools or churches.

(4) The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred (100) feet from the sound truck or speaker and so that said volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons within the area of audibility.

Section 3. Commercial and/or political advertising by sound truck or sound amplifying equipment prohibited. No person shall operate, or cause to be operated, any sound truck or sound amplifying equipment for commercial sound advertising purposes or political advertising in the City of Kirkland with sound amplifying equipment in operation.

Section 4. Any person who violates or fails to comply with any provision of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than One Hundred and no/100 (\$100.00) Dollars or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

Section 5. It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

Section 6. This ordinance shall go into effect five (5) days from and after its passage by the Council, approval by the Mayor, and publication according to law.

Introduced the 2nd day of July, 1956.

Passed and approved this 16 day of July, 1956.

John Bayley
MAYOR

Attest:

Louis P. Ditch
CITY CLERK

Approved as to form:

Charles W. Johnson Jr.
CITY ATTORNEY

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same was published or posted according to law, said Ordinance being No. 694 and entitled "an Ordinance as above."
Louis P. Ditch, City Clerk.