

ORDINANCE No. 3168

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PUBLIC DISTURBANCE NOISES, AMENDING CHAPTER 11.84A, AND SPECIFICALLY DESIGNATING ADDITIONAL CONDUCT AS A PUBLIC DISTURBANCE.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1: KMC 11.84A.070 is hereby amended as follows:

11.84A.070 Public Disturbance Noises.

It is unlawful for any person to cause, or for any person in possession of property to allow to originate from the property, sound that is a public disturbance noise. The following sounds are determined to be public disturbance noises:

(1) The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;

(2) The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace, comfort and repose of [~~property~~] owners or possessors of real property.

(3) Yelling, shouting, hooting, whistling or singing on or near the public streets, particularly between the hours of eleven p.m. and seven a.m. or at any time and place so as to [~~disturb the quiet, comfort and repose of any person in any hospital, rest home, sanitarium, dwelling, hotel, motel or other type of residence~~] unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property.

(4) [The creation by use of a musical instrument, whistle, sound amplifier, or other device, capable of producing or reproducing sound, of loud and raucous sounds which emanate frequently, repetitively or continuously from any building, structure or property located within a rural or residential district, such as sounds originating from a band session or social gathering;] The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment, or condominium, which unreasonably interferes with the peace, comfort, and repose of owners or possessors of real property, such as sounds from musical instruments, audio sound systems, band sessions, or social gatherings.

(5) Sound from motor vehicle audio sound systems, such as tape players, radios, and compact disc players, operated at a volume so as to be audible greater than fifty feet (50') from the vehicle itself.

(6) Sound from portable audio equipment, such as tape players, radios, and compact disc players, operated at a volume so as to be audible greater than fifty feet (50') from the source, and if not operated upon the property of the operator.

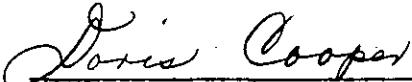
(7) The foregoing provisions shall not apply to regularly scheduled events at parks, such as public address systems for baseball games or park concerts.

Provided, that the foregoing enumeration of acts and noises not be construed as excluding other acts and noises which offend the public peace.

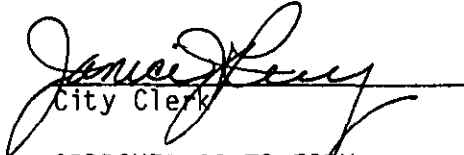
Section 2: This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 2nd day of May, 1989.

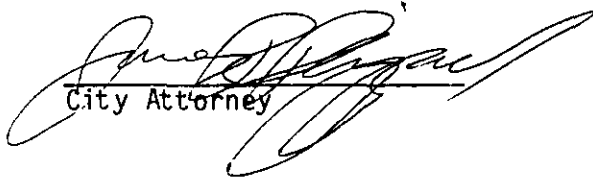
Signed in authentication thereof this 2nd day of  
May, 1989.

  
MAYOR

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney