

**ORDINANCE NO. 1 OF 2021**  
**DISTURBING THE PEACE/DISORDERLY CONDUCT**

It is hereby declared to be a public nuisance and shall be unlawful for any person or legal entity to make or to permit any noise or action of the following in such a manner as would foreseeably disturb or alarm the public within the Town of Port Barre:

SECTION A: Verbal or physical encounters.

- (1) Engaging in a fistic encounter; or
- (2) Addressing any offensive, derisive, derogative, foul language or annoying words to any other person who is lawfully in any street, or other public place; or call him by any offensive, derisive or derogative name, or make any noise or exclamation in his presence and hearing with the intent to deride, offend, or annoy him, or to prevent him from pursuing his lawful business, occupation, or duty; or
- (3) Appearing in an intoxicated condition; or
- (4) Engaging in any act in a violent and tumultuous manner by any three or more persons; or
- (5) Holding of an unlawful assembly or the interruption of any lawful assembly of people

SECTION B: Loud, unnecessary, etc., noises.

1. Unnecessary noise prohibited. It shall be unlawful for any person or legal entity to make, continue, or cause to be made or continued, any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others, within the Town of Port Barre.
  - (a) Non-exclusive enumeration of unnecessary noise. The following acts, among others, are declared to be loud, disturbing and unnecessary noise and noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:
    - (i) Horns or signal devices. The sounding of any horn or signal device except when said horn or signal device, at the time used, has as its purpose the signaling of unsafe or dangerous situations or to summon the assistance of law enforcement or when used in conjunction with a permitted event.
    - (ii) Radios, televisions, phonograph, etc., or any musical instrument, amplified devices, machinery, power tools or any action or activity in such a manner or with such volume, particularly between the hours of 10:00 p.m. and 6:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any hospital, dwelling, hotel or other type of residence, or of any persons in the vicinity.
    - (iii) Yelling, shouting, etc. Yelling, shouting, hooting, whistling, singing or any verbally projected noise, particularly between the hours of 10:00 p.m. and 6:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any home, dwelling, hotel or other type of residence, or of any persons in the vicinity.
    - (iv) Animals, birds, etc. The keeping of any animal, including, but not limited to, dogs, birds or fowl, which by causing frequent or long-continued noise shall disturb the comfort or repose of any person in the vicinity.
    - (v) Amplification from a motor vehicle. The operation or permitted operation of any sound amplification system which emanates unreasonably loud or excessive sound or noise which is likely to cause inconvenience or annoyance to persons of ordinary sensibilities, when the following exists:

- a. The sound amplification system is located in or on any motor vehicle on a public street, highway, or public property.
- b. The sound amplification system is being operated without first having obtained a permit to do so.
- (vi) Amplifying devices. The use by any person or legal entity conducting any public place or business to operate therein or in connection therewith any radios, loudspeakers, amplifying devices or any other such things of similar nature in a manner calculated to disturb the inhabitants of the vicinity, and particularly after the hour of 10:00 p.m. and before the hour of 6:00 a.m. where the amplification is thrown to the area surrounding such public place
- (vii) The noise from vehicles with loud exhaust. It will be a violation for someone, in a motor vehicle, to sit in a parking lot, public or private property, or driving on a roadway accelerating the engine in such a manner to create a noise that would be unreasonably loud and annoying as to disturb the peace.
- (viii) The noise from mechanical or industrial equipment, including but not limited to exhaust, mechanical movement, physical impact or such things of similar nature in a manner calculated to disturb the inhabitants of the vicinity, and particularly after the hour of 10:00 p.m. and before the hour of 6:00 a.m., where the noise is thrown to the area surrounding such public place.

SECTION C: Penalties

1. Any person found to be in violation of this Ordinance, shall be fined not more than \$100.00 for the first offense, not more than \$200.00 for the second, not more than \$300.00 for the third offense and not more than \$500.00 for all subsequent offenses.

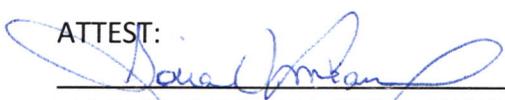
BE IT FURTHER ORDAINED by the Board of Aldermen for the Town of Port Barre, Louisiana, duly convened in regular session on the 2<sup>nd</sup> day of March, 2021, that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

BE IT FURTHER ORDAINED by the Board of Aldermen for the Town of Port Barre, Louisiana, duly convened in regular session on the 2<sup>nd</sup> day of March, 2021, that this Ordinance shall become effective immediately upon signature of the Mayor.

This Ordinance having been introduced on February 2, 2021, by Alderman Hardy, notice of public hearing having been published on February 14, 2021, said public hearing having been held, and the Ordinance read in whole and considered, on motion of Alderwoman Pickney and seconded by Alderman Barron to adopt the Ordinance, a record vote was taken and the following result was had:

YEAS: Robin, Abshire, Pickney, Hardy and Barron  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

WHEREUPON, the presiding officer declared the above Ordinance No. 1 of 2021, duly adopted on March 2, 2021.

ATTEST:  
  
 TORIA V. COMEAUX, TOWN CLERK

  
 MAYOR