

ORDINANCE NO. _____

AN ORDINANCE TO AMEND A PORTION OF THE PROVISIONS OF CHAPTER 18, ARTICLE II, OFFENSES INVOLVING PUBLIC PEACE AND ORDER, NOISES PROHIBITED GENERALLY, § 18-52 (B) OF REVISED CODE OF ORDINANCES (1988) OF THE CITY OF LITTLE ROCK, ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Little Rock, Arkansas, has enacted ordinances codified in the Little Rock, Ark. Rev. Code ("LRC) § 18-52 (1988) that prohibit Noise; and,

WHEREAS, Subsection (b)(2) of this ordinance prohibits the "playing of any radio, phonograph, any type of audio equipment, or any musical instrument in such a manner or with such volume, particularly during the hours between 10:30 PM and 7:00 AM as to annoy or disturb the quietness, comfort or peace of any persons in or around any office, hospital, or any dwelling, hotel or other type of residence; and,

WHEREAS, the amphitheater located in the River Market is a routine venue for musical concerts and other performances that utilize audio equipment, as such, a change is required to the City’s Noise Ordinance to allow concerts and other performances utilizing audio equipment at the amphitheater to last beyond 10:30 PM and be in compliance with the LRC § 18-52.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRETORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. That § 18-52 (b) (2) is amended to include:

(2) The playing of any radio, phonograph, any type of audio equipment, or any musical instrument in such a manner or with such volume, particularly during the hours between 10:30 PM and 7:00 AM as to annoy or disturb the quietness, comfort or peace of any persons in or around any office, hospital, or any dwelling, hotel or other type of residence. Except that the amphitheater located in the River Market will refrain from the playing of such instruments and audio equipment during the hours between 12:00 AM and 7:30 AM.

Section 2. *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

1 **Section 3. Repealer.** All laws, ordinances, resolutions, or parts of the same that are inconsistent with
2 the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

3 **Section 4. Emergency Clause.** Unless the provisions of this ordinance are put into effect immediately,
4 the public health, safety and welfare of the citizens of Little Rock will be adversely affected; therefore, an
5 emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its
6 passage.

7 **PASSED: October 15, 2019**

8 **ATTEST:**

APPROVED:

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11 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

12 **APPROVED AS TO LEGAL FORM:**

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15 **Thomas M. Carpenter, City Attorney**

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