

LUDLOW ORDINANCE NO. 2025-7

AN ORDINANCE AMENDING THE CITY OF LUDLOW CODE OF ORDINANCES, CHAPTER 94: NOISE REGULATIONS, FOR THE PURPOSE OF PERMITTING CERTAIN ARTIFICIALLY AMPLIFIED NOISE AT BARS AND RESTAURANTS WITHIN THE CITY OF LUDLOW

WHEREAS, pursuant to the Kentucky Revised Code, the City of Ludlow has the authority to enact ordinances to protect the public health, safety, and welfare within its jurisdiction; and

WHEREAS, the City of Ludlow finds that it has a substantial governmental interest in promoting the reasonable operation of reputable bars and restaurants within the City; and

WHEREAS, the City of Ludlow currently prohibits the use of radios, stereos, and televisions at any volume louder than is necessary for it to be heard by the voluntary listeners thereto; and

WHEREAS, the City of Ludlow believes that it is possible to advance the interest of its citizens in reasonable peace of quiet while also promoting a thriving hospitality industry; and

WHEREAS, the City of Ludlow finds that amendments to the City's Noise Ordinance regarding the prohibition of such noise is important in supporting local business owners; and

WHEREAS, the City of Ludlow City Council desires to amend Chapter 94 of its Ordinances as stated below for the reasons stated above.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, KENTUCKY, THAT CHAPTER 94 OF THE CODE OF ORDINANCES IS AMENDED AS FOLLOWS:

§ 94.02 DECLARATION OF NOISE.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

(A) *Horn, signaling devices and the like.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time.

(B) *Radios, phonographs and the like.* The using, operating or permitting to be played, used or operated any radio, stereo, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound

in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants ~~or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners thereto.~~ The operation of any set, instrument, phonograph, machine or device in a manner as to be plainly audible at a distance of 50 feet from the location thereof shall be prima facie evidence of a violation of this section. at a volume louder than is necessary for the convenient hearing and enjoyment thereof by the persons occupying the room, vehicle, chamber, or designated eating or drinking area in which the machine or device is located. Operating a machine or device in a manner which emits a noise measuring at or above 65 decibels within 35 feet from the machine or device will be considered prima facie evidence of a violation of this section.

(C) *Loud speakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is case upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(D) *Yelling, shouting and the like.* Yelling, shouting, hooting, whistling or singing at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in the vicinity.

(E) *Animals, birds and the like.* The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity.

(F) *Exhausts.* The discharge into the open air of the exhaust of any stationary engine, motor boat, motorcycle or motor vehicle, except through a muffler or other device which will effectively prevent loud or excessive noises therefrom. Exhaust noise which is plainly audible at a distance of 100 feet from the location thereof shall be prima facie evidence of a violation of this section.

(G) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(H) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of the institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in the streets indicating that the same is a school, hospital or court street.

(Ord. 1996-7, passed 8-22-1996, amended by Ord. 2025-____, passed ____-____-2025)

§ 94.03 EXEMPTIONS.

The provisions of this chapter shall not apply to the following:

(A) The emission of sound for the purpose of alerting persons to the existence of an emergency or for the performance of emergency work; or

(B) The discharge of firearms by members of the Police Department or other sworn peace officers.

(C) Sporting events, entertainment events, and school events, the organizers of which have sought and obtained written approval therefore from the Mayor or City Administrator and which comply in all ways with any other published Ordinances, Zoning regulations, or other laws and regulations.

(Ord. 1996-7, passed 8-22-1996, amended by Ord. 2025-____, passed ____-____-2025)

Passed by the City Council this _____ day of _____, 2025.

CITY OF LUDLOW, KENTUCKY

Chris Wright, Mayor

ATTEST: _____
Laurie Sparks, City Clerk

First Reading: _____ Second Reading: _____ Publication: _____