

HAILEY ORDINANCE NO. 1127

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 9.04.030(A) OF THE HAILEY MUNICIPAL CODE BY RESTRICTING OUTDOOR AMPLIFIED SOUND IN CITY PARKS, THE BUSINESS ZONING DISTRICT AND THE HAILEY MULTI-PURPOSE ARENA; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to make the City of Hailey an event friendly place while maintaining public safety;

WHEREAS, the City Council wishes to reduce time and costs associated with planning and permitting events in Hailey's business district and at Hailey's multi-purpose arena; and

WHEREAS, the Special Event Chapter of the Municipal Code exempts events fully contained on private property within the business zoning district, a school or recreational district sporting event held on a school or recreational district property and government events, but does not exempt them from amplified sound restrictions;

WHEREAS, the Special Event Chapter of the Municipal Code provides for events that obtain a Special Event Permit to be subject to amplified sound regulations; and

WHEREAS, the Mayor and City Council find that such an amendment to the amplified sound permit regulations will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 9.04.030(A) of the Hailey Municipal Code is amended by the addition of the underlined language as follows:

9.04.030(A) Noise.

A. Except as otherwise provided herein, it is unlawful for any person to make, create, continue or cause to be made, created or continued, any loud or unnecessary noise, which noise disturbs or injures others within the limits of the city, or which adversely affects the comfort, health, peace or safety of others within the limits of the city.

1. Outdoor amplified sound may be permitted with an approved Special Events permit, an approved park reservation or an approved amplified sound permit. Permitted outdoor amplified sound shall be limited to the hours between 10:00 a.m. and 10:00 p.m. in City Parks as defined by Section 12.14.020 of the Hailey Municipal Code, between 10:00 a.m. and 11:30 p.m. in the Business (B) zoning district, and between 10:00 a.m. and midnight at Hailey's multi-purpose arena.

Section 2. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

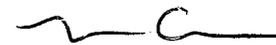
Section 3. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this 15th day of July, 2013.


Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:


Mary Cone, City Clerk

Publish: Idaho Mountain Express July 24th 2013

