

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY OF LEAGUE CITY, TEXAS, AMENDING CHAPTER 42, ARTICLE II OF THE CODE OF ORDINANCES RELATED TO NOISE; PROVIDING FOR A GENERAL PROHIBITION AGAINST UNREASONABLE NOISE; ESTABLISHING EXEMPTIONS; CREATING A SPECIAL EVENT SOUND PERMIT PROCESS; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of League City seeks to update its regulations related to noise in order to protect the health, safety, and welfare of the public; and

WHEREAS, the City Council finds it necessary to provide clear enforcement standards, reasonable exemptions, and a permit process for special events;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That Chapter 42, Article II, of the Code of Ordinances of the City of League City, entitled “Noise” is amended by read as shown in Exhibit A, which is attached.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective immediately upon passage.

PASSED first reading the _____ day of _____, 2025.

PASSED AND ADOPTED the____day of_____, 2025.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney (mv)

Exhibit A

ARTICLE II. NOISE

Sec. 42-31. General prohibition.

- (a) It shall be unlawful for any person to make, assist in making, permit, continue, or cause to be made or continued any sound that constitutes unreasonable noise within the limits of the city.
- (b) For purposes of this article, “unreasonable noise” means any sound which would disturb, injure, or endanger the comfort, repose, health, peace, or safety of a person of ordinary sensibilities under the same or similar circumstances, including repeated or sustained sounds made by an animal and/or amplified sound from a motor vehicle.
- (c) In determining whether noise is unreasonable, consideration may be given to the frequency, duration, and recurrence of the sound in addition to its volume and location.
- (d) Amplified sound that is produced or generated during nighttime hours in a residential area is presumed to be unreasonable.

Sec. 42-32. Definitions.

Amplified sound means sound that is increased in volume or intensity by any electronic, mechanical, or powered means, including but not limited to loudspeakers, microphones, bullhorns, radios, televisions, stereos, musical instruments connected to amplifiers, public address systems, or similar devices.

Daytime hours means 7:00 a.m. to 7:00 p.m.

dB(A) means the intensity of a sound expressed in decibels measured with an A weighted scale and slow response.

Emergency work means work required to restore property or utilities to a safe condition or to protect persons or property from imminent danger.

Nighttime hours means 7:00 p.m. to 7:00 a.m.

Person means any individual, association, partnership, or corporation.

Residential property means real property developed and used for human habitation.

Sec. 42-33. Exemptions.

The following exemptions describe situations in which noise otherwise prohibited by this article is allowed and shall not be considered a violation:

- (1) The emission of any sound was for the purpose of alerting persons to the existence of an emergency, danger or attempted crime.
- (2) The sound was produced by an authorized emergency vehicle.
- (3) The sound was produced by emergency work.
- (4) The sound was generated:
 - a. At a lawfully scheduled stadium event;
 - b. By a pyrotechnic display, including fireworks, that was inspected and approved by the fire marshal;
 - c. By spectators and participants of any event where the city is the sponsor;
 - d. Any other lawful activity involving expression protected by the First Amendment of the United States Constitution.
- (5) The sound was produced by the erection, excavation, construction, demolition, alteration, or repair work, or the permitting or causing thereof, of any street, building or other structure, or the operation or the permitting or causing the operation of any tools or equipment used in any such

activity conducted between the hours of 7:00 a.m. and 7:00 p.m. (unless otherwise approved by the director of planning and development) and which activity did not produce a sound exceeding 75 dB(A) when measured from the nearest residential property.

(6) The sound was produced by aircraft in flight or in operation at an airport, or railroad equipment in operation on railroad rights-of-way.

(7) The sound was produced by operating or permitting the operation of any mechanically powered saw, drill, sander, router, grinder, lawn or garden tool, lawnmower, or any other similar device used between the hours of 7:00 a.m. and 7:00 p.m., or in the case of mowing or lawn maintenance at a golf course, beginning no earlier than 5:30 a.m.

(8) The sound was authorized under a special event sound permit under this article.

(9) The sound was generated by the operation of an emergency generator during a power outage or when used for necessary testing or maintenance.

Sec. 42-34. Special Event Sound Permit.

(a) Notwithstanding Sec. 42-31, a person may produce outdoor amplified sound that would otherwise be prohibited by this article if such sound is authorized under a special event sound permit issued pursuant to this section.

(b) A special event sound permit may only be issued for Special Event, as defined in Chapter 14 of the City Code of Ordinances.

(d) The chief of police may impose conditions on the permit as necessary to protect the public peace, health, and safety, including but not limited to restrictions on the time, place, and manner of the noise.

(e) Any applicant who is denied a permit under this section, or who objects to a condition imposed by the chief of police on a granted permit, may appeal in writing to the city manager within ten working days. The city manager shall issue a decision within five working days, which shall constitute final administrative action.

(f) The fee for a sound permit shall be established by resolution of the City Council.

Sec. 42-35. Penalties.

(a) Any person who violates this article is guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided in Sec. 1-5 of the League City Code of Ordinances.

(b) Each day that a violation continues constitutes a separate offense.

Secs. 42-36—42-60. Reserved.