

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE III, SECTION 25-67, TO RENUMBER PRESENT SECTION 25-73, AND TO ADD A NEW SECTION 25-73 RELATIVE TO UNLAWFUL NOISES FROM OFF-ROAD VEHICLES.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 25, Article III, Section 25-67, be and is hereby amended by adding a definition of “off-road vehicle” and revising the definition of “vehicle” as follows:

ARTICLE III. SOUNDS

Sec. 25-67. Definitions and noise measurement procedures.

(a) All terms used in this Article shall, for the purpose of this Article, have the meanings hereinafter ascribed to them.

“Off-road vehicle” means any off-road motorcycle, all-terrain vehicle, utility vehicle or dune buggy.

"Vehicle" shall mean any device in, upon, or by which any person or property is or may be transported or drawn, except devices moved by human power or used exclusively upon stationary rails or tracks.

SECTION 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 25, Article III, Section 25-73, be and is hereby amended by renumbering the section as Section 25-74.

SECTION 3. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 25, Article III, Section 25-73, be added as a new section as follows:

Sec. 25-73. Off-road vehicles.

No person shall operate or allow anyone else to operate an off-road vehicle that generates a sound level in excess of 70 dB(A) for a sustained period of thirty (30) seconds which is measured to the boundary line of any adjoining residentially zoned property.

The Police Department is directed to monitor the impact of this ordinance on the quiet enjoyment of its residents located within the City. The Police Department will report to the City Council on the impact of this ordinance in approximately one (1) year after the effective date of the ordinance.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks after its passage as provided by law.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

KJR/PAN/mem/v7