

ORDINANCE # 10-36-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ARTICLE 8.500 "NOISE NUISANCES" "(b)"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

Section 1. That Chapter 8 of the Code of Ordinances, City of Sanger, Texas, Article 8.500 "Noise Nuisances" "(b)" is hereby amended to add "(10)" and shall read as follows:

ARTICLE 8.500 NOISE NUISANCES

(b) The following acts, among others, are declared to come within the purview of this article and to be nuisances within the meaning hereof, but said enumerations shall not be deemed to be exclusive, such acts being as follows:

(10) Construction activities including but not limited to the erection, excavation, demolition, alteration, or repair of any building, structure, street, alley or appurtenances thereto performed outside the following hours:

- i) 7:00 a.m. to 8:00 pm on weekdays;
- ii) 8:00 a.m. to 5:00 p.m. on Saturdays;
- iii) No construction activities allowed on Sunday;
- iv) In the case of urgent necessity or in the interest of public safety, deviation from these hours may be allowed with the prior approval of the City Manager or his/her designee.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of any court competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

Section 4. Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in Section 1.109 of the Code of Ordinances.

Section 5. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED, APPROVED AND ADOPTED, this the 10nd of October, 2017, by the City Council of the City of Sanger, Denton County, Texas.



APPROVED:

Thomas E. Muir

Thomas E. Muir, Mayor

ATTEST:

Cheryl Price
Cheryl Price