

**A BILL FOR AN ORDINANCE AMENDING
CHAPTER 9.04.010 OF THE LEBANON
MUNICIPAL CODE DEFINING "DISORDERLY
HOUSE" AND DEFINING "LOUD NOISE"**

)
)
)
)

Ordinance Bill No. 2013-4

Ordinance No. 2845

WHEREAS, Lebanon has a Disorderly House ordinance contained in Chapter 9.04;
and

WHEREAS, the Lebanon Police Department has been frustrated in its efforts to address public complaints regarding loud noises and disturbances because the current ordinance requires "more than two complaints" in a twenty-four hour period before a house can be identified as a disorderly house; and

WHEREAS, the current ordinance fails to define "loud noise" which has led to confusion and uncertainty in certain situations.

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Section 9.04.010 of the Lebanon Municipal Code is hereby amended to read as follows:

9.04.010 Definitions

As used in this title, the following words mean:

"Disorderly house" means any house or place kept or maintained for the purpose of prostitution or illegal gambling, including any place, room or building used for the consumption, sale or disposition of liquor, narcotics, dangerous drugs or tobacco contrary to law, or any residential house or affiliated structure that within a twenty-four hour period, causes more than one complaint requiring a police response to investigate and/or quell loud noise, disturbances, or domestic disturbances when the complainant is someone other than a party or person involved in the noise or disturbance.

"Loud noise" means:

The use or operation of a radio, television, boom-box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any residence.

Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive areas or in public places, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities or is plainly audible at a distance of 50 feet from any residence.

Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls or otherwise cares for the animal or bird.

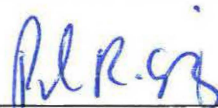
"Minor" means any person under the age of eighteen years, except as otherwise provided.

"Persons" means a natural person, firm, partnership, association or corporation, whether the persons or the corporation is acting for himself or itself, or as the clerk, servant, employee or agent of another.

"Public place" means a building, way, place or accommodation, whether publicly or privately owned, which is open and available to the general public.

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor on this 10th day of July, 2013.

CITY OF LEBANON, OREGON



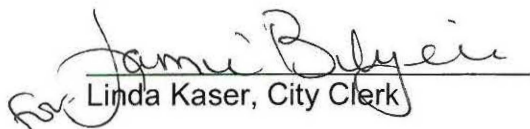
Paul R. Aziz, Mayor



Bob Elliott, Council President



ATTEST:


for Linda Kaser, City Clerk