DARLINGTON CITY COUNCIL
AGENDA FOR SPECIAL CITY COUNCIL MEETING
Tuesday, January 16, 2024, 6:00 PM
400 Pearl Street
Darlington, SC 29532

1. Invocation: Mayor Curtis Boyd

2. Pledge of Allegiance

3. Approval of Agenda for the Special Meeting of January 16, 2024

4. New Business
   a. City Ordinance Sec. 58-27, Noise Standards – Mayor Curtis Boyd

   Adjourn

Sec. 58-27. Noise standards.

(a) The term "loud, disturbing noise" means any sound which because of its volume, level, duration, and character disturbs, injures, or endangers the comfort, health, peace, safety, or welfare of reasonable persons of ordinary sensibilities within the city limits.

(b) It shall be unlawful for any person or group of persons, regardless of number, to willfully make, continue, or cause to be made or continued any loud or disturbing noise, as defined in subsection (a) of this section. The term "loud disturbing noise" shall be limited to noises heard from any public street, public park, public building or grounds while in use, school building or grounds while in use, church or grounds while in use, hospital or grounds while in use, parking lot open to members of the public as invitees or licensees, or occupied residential unit which is not the source of the noise or upon the grounds thereof.

(c) The following acts are hereby declared to be public nuisances in violation of the above subsection. The acts enumerated in this subsection shall not be deemed to be exclusive:

(1) The use or operation of any mechanical or electrical device, apparatus, or instrument, other than those used in emergencies, to amplify, intensify, produce, or reproduce a human voice or any other sound when the sound from such activity is clearly audible more than 100 feet from the device, apparatus, or instrument;

(2) The playing or operation of any radio, cassette tape player, compact disc player, or any other sound-producing device, apparatus, or instrument when the speaker volume is elevated to such an extent that the sound is clearly audible more than 100 feet from the device. When the provisions of this subsection apply to any device, apparatus, or instrument that is installed or located in a vehicle, they are intended to apply, regardless of whether the vehicle is traveling upon the streets of the city, stopped in traffic, or parked on public or private property. The following activities shall be exempted from the provisions of this section: the playing of music from atop the county courthouse during the holiday season; civic activities which are either sponsored, held, or sanctioned by the city, the county, or the county school district, such as parades, fireworks displays, athletic or sporting events and competitions, concerts, and social gatherings;

(3) The use of a horn or any other signal device, except as a danger signal, so as to create an unreasonably loud or harsh sound, or the sounding of such device for an unreasonable period of time. The provisions of this subsection are not intended to apply to sounds emanating from any authorized emergency vehicle responding to an emergency situation;

(4) The use of any automobile, motorcycle, or other vehicle so out of repair, so overloaded, equipped, or altered to amplify sound which creates a loud and disturbing noise. All motor vehicles must operate within the standards set forth by state law;

(5) The use of power mowers, trimmers, chain saws, or other similar loud equipment in or near residential areas between the hours of 10:00 p.m. and 7:00 a.m., except in an emergency;

(6) The continued use of equipment or machinery such as fans, motors, ventilation equipment, compressors or processing or manufacturing equipment, which, because of faulty installation, deferred maintenance, or damage, produces a loud and disturbing noise, whether continuous or intermittent, in or near residential areas;

(7) The use of large service vehicles such as trucks used for emptying large trash containers or street and parking lot sweepers or cleaners, in or near residential areas between the hours of 10:00 p.m. to 7:00 a.m., except in the case of emergency;

(8) The use of power or hand tools such as saws, drills, sanders, planes, or hammers, used in the construction, alteration, repair, or demolition of structures which create a loud and disturbing noise in or near residential areas between the hours of 10:00 p.m. to 7:00 a.m.; and

(9) The creation of any other sound defined as a loud or unreasonably disturbing noise.

(Code 1977, § 9-1032; Ord. No. 2000-12, 11-7-2000)