

ORDINANCE NO. **BG2013 – 34**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 9 (GENERAL OFFENSES), SUBCHAPTER 9-3 (NOISE) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO PROVIDE AN EXEMPTION FOR INDUSTRIAL ZONED PROPERTIES

WHEREAS, the City adopted and enforces a noise ordinance within the city limits; and,

WHEREAS, it is in the best interests of the City to amend this ordinance to provide for an exemption for noise from property zoned and used for industrial purposes.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 9 (General Offenses), Subchapter 9-3 (Noise) is hereby amended as follows:

9-3 NOISE.

...

9-3.04 Exemptions.

The prohibitions set forth herein shall not apply and it shall be a defense to any prosecution hereunder if an otherwise unlawful noise was emitted from:

...

f. The operation and maintenance of businesses or industries, including, but not limited to, the operation of industrial power equipment, located on property zoned and used for industrial purposes.

...

2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in

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conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on October 15, 2013, and given final reading on November 5, 2013, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: November 5, 2013

APPROVED: Bruce Wilkerson  
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Schaller  
City Clerk

SPONSORED BY: Bruce Wilkerson, Mayor, 10/01/2013, 8:00 a.m.