

Calendar No. 3661

INTRODUCED BY  
Order of Council

## ORDINANCE No. 112581

### Title

An Ordinance authorizing the drawing and delivery of a warrant in the sum of \$10.00 to Mrs. Ruthann Eyer, 7206 S.E. 17th Avenue, Portland 2, Oregon, as a reward for information and assistance leading to the arrest and conviction in a hit-and-run case (property damage), and declaring an emergency.

THURSDAY

Filed SEP 16 1960

RAY SMITH

Auditor of the CITY OF PORTLAND

By *[Signature]* Deputy

### THE COMMISSIONERS VOTED AS FOLLOWS:

|         | Yeas | Nays |
|---------|------|------|
| Bean    | /    |      |
| Bowes   | /    |      |
| Earl    | /    |      |
| Grayson | /    |      |
| Schrunk | /    |      |

### FOUR-FIFTHS CALENDAR

|         |  |
|---------|--|
| Bean    |  |
| Bowes   |  |
| Earl    |  |
| Grayson |  |
| Schrunk |  |

DRAWN BY  
MCR:gm  
Date 9-16-60

### NOTED BY THE COMMISSIONER

Affairs  
Finance  
Safety  
Utilities  
Works

City Attorney

### NOTED FOR CITY AUDITOR

### APPROVED

Date

By

City Engineer

Date

By

## ORDINANCE NO. 112582

An Ordinance amending Section 16-1702 of Ordinance No. 76339 (Police Code) and Section 19-2005 of Ordinance No. 75607 (Traffic Code), both sections relating to unlawful noises within the City of Portland, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that both Ordinance No. 76339 (Police Code) and Ordinance No. 75607 (Traffic Code) contain provisions relating to unlawful noises created by motor vehicles and otherwise; that said reference in each of the two codes makes it difficult for the enforcement officers of the Bureau of Police to determine whether violators of said sections should be cited to appear in the Traffic Division or the Criminal Division of the Municipal Court; that reference to prohibited noises created by motor vehicles should be contained only in the Traffic Code, and reference to prohibited noises created otherwise than by traffic should be contained only in the Police Code; now, therefore, Section 16-1702 of Ordinance No. 76339 (Police Code), passed by the Council December 4, 1941, as amended, hereby is amended to read as follows:

Section 16-1702 WHAT CONSTITUTES A VIOLATION.

The following acts are declared to be violations of this Code, but said enumerations shall not be deemed to be exclusive, namely:

(a) The keeping of any animal or bird which by frequent or loud continued noise shall disturb the comfort and repose of any person in the vicinity, and the attaching of any bell on any animal or allowing the same to remain on any animal. Any animal running at large with a bell thereon shall be liable to be impounded.

(b) The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or to stop work, or as a warning of danger.

(c) The use of any mechanical device operated by compressed air steam or otherwise, unless the noise created thereby is effectively muffled and reduced.

(d) The erection, including excavation, demolition, alteration, or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m., except in case of urgent necessity in the interest of public safety.

(e) The creation of any excessive noise on any street adjacent to any hospital or other institution reserved for the sick, or any school while the same is in session.

(f) The operation of any industrial type internal combustion engine without having the same equipped with and using thereon a muffler, in good working operation, to prevent excessive noise and annoying smoke.

(g) The use or operation of any automatic or electrical piano, phonograph, graphophone, victrola, radio, loud-speaker, or any instrument for sound producing or any sound amplifying device so loudly as to disturb persons in the vicinity thereof or in such a manner as renders the same a public nuisance; provided, however, that upon application to the Bureau of Police (Office of the Chief) permits may be granted to persons or business firms for the broadcast or amplification of commercial or entertainment programs, or to any organization for the broadcast of programs of music, speeches, or general entertainment as a part of national, state or city events, public festivals or outstanding events of a non-commercial character, such broadcast or amplification either by person or a business concern or by an organization, shall not be audible for a distance of more than fifty feet from the instrument, speaker or amplifier, and in no event shall a permit be granted where any obstruction to the free and uninterrupted traffic, both vehicular and pedestrian will result.

(h) The making of any noise upon a public street or in such proximity thereto as to be distinctly and loudly audible upon such street, any noise of any kind by crying, calling, or shouting, or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, sound amplifying device or other device for the purpose of advertising goods, wares, or merchandise, or of attracting attention or of inviting patronage of any person to any business whatsoever, or participation by any person in any public or private event; provided that newsboys may sell newspapers and magazines by public outcry, except as prohibited by Section 16-1705 and provided further that a permit for sound amplifying device to be used upon the streets of the city of Portland may be granted by the Bureau of Police upon application to the office of the Chief thereof, and the said Bureau shall have exclusive jurisdiction over the routing of such sound amplifying vehicle, and such vehicle shall in no event be permitted to operate within two hundred feet of any hospital, or within two hundred feet of any public or private elementary or secondary school, or any college or university. The permit as granted by the Bureau of Police shall in addition to specifying the route generally, or specifically, affirmatively provide for the hours during

which such use of the streets may be permitted, and shall provide that in no event shall the sound emanating from any sound amplifying vehicle be audible for a distance of more than one hundred feet from the said vehicle.

(i) The conducting, operating or maintaining of any garage in any residential district so as to cause loud or offensive noises to be emitted therefrom at any late hour at night, to wit: any time between 11:00 p.m. and 7:00 a.m. so as to be likely to disturb and keep awake persons residing in the immediate vicinity. The term "residential district" as used in this code shall include any area where a garage is located within 100 feet of any building or buildings used as a private residence, apartment house, rooming house, or hotel.

(j) To conduct, carry on, or in any manner engage in any marathon dance, marathon race, marathon exhibition, walkathon, or human endurance test or contest in the city for gain or for hire in any building, structure, tent, enclosure, or place, and the renting or leasing of any building, structure, tent, enclosure, or place within the city to any person for the purpose of permitting the use of such building, structure, tent, enclosure, or place for a marathon dance, marathon race, marathon exhibition, walkathon, or human endurance test or contest.

Section 2. Section 19-2005 of Ordinance No. 75607 ( Traffic Code), passed by the Council July 10, 1941, as amended hereby is amended to read as follows:

Section 19-2005. MUFFLERS REQUIRED; NOISES PROHIBITED.

It shall be unlawful:

(a) For any person to operate a motor vehicle on a street or highway unless such motor vehicle is equipped with a muffler in good order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(b) To equip any motor vehicle with a "muffler cutout".

(c) For any person to operate or for any owner of any motor vehicle to permit to be operated upon any public road, street, or highway any motor vehicle so as to cause any greater noise or sound than is reasonably necessary for proper operation of such motor vehicle. [ORS 483.448]

(d) For any person to operate on any street or highway any automobile, motorcycle, streetcar, or other vehicle, or thing so out of repair, so loaded, or in such manner as to create loud and unnecessary grating, grinding, rattling, or other noise.

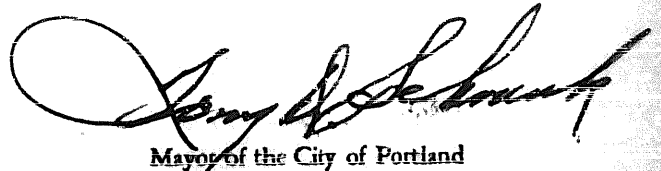
## ORDINANCE No.

(e) For any person to sound any horn or signaling device on any automobile, motorcycle, streetcar, or other vehicle on any street or public place of the city, except as a necessary warning of danger to property or person.

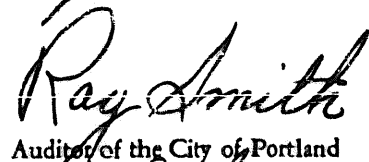
(f) For any person to use or sound any gong or siren upon any vehicle, other than police, fire, or other emergency vehicle..

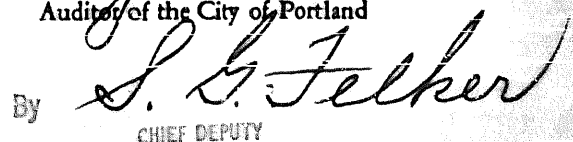
Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there may be no delay in clarifying codes of the city with reference to unlawful noises for the public convenience; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, SEP 22 1960

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

By   
CHIEF DEPUTY

Calendar No. 3860

INTRODUCED BY  
Mayor Schrunk

ORDINANCE No. 12580

Title

An Ordinance amending Section 16-1702 of Ordinance No. 76339 (Police Code) and Section 19-2005 of Ordinance No. 75607 (Traffic Code), both sections relating to unlawful noises within the City of Portland, and declaring an emergency.

THURSDAY...

| THE COMMISSIONERS VOTED AS FOLLOWS: |     |      |
|-------------------------------------|-----|------|
|                                     | Yes | Nays |
| Bean                                | —   |      |
| Bowes                               | /   |      |
| Earl                                | /   |      |
| Grayson                             | /   |      |
| Schrunk                             | /   |      |

| FOUR-FIFTHS CALENDAR |                    |
|----------------------|--------------------|
| Bean                 |                    |
| Bowes                | <i>W.A.A.</i>      |
| Earl                 |                    |
| Grayson              |                    |
| Schrunk              | <i>H.S. Schunk</i> |

Filed... SEP 14 1960

RAY SMITH  
Auditor of the CITY OF PORTLAND

By *H.S. Schunk* Deputy

|                             |  |
|-----------------------------|--|
| DRAWN BY                    |  |
| E.J.C:gm                    |  |
| Date 9-1-60                 |  |
| NOTED BY THE COMMISSIONER   |  |
| Affairs                     |  |
| Finance                     |  |
| Safety <i>H.S. Schunk</i>   |  |
| Utilities                   |  |
| Works                       |  |
| City Attorney <i>W.A.A.</i> |  |
| NOTED FOR CITY AUDITOR      |  |
| <i>H.S. Schunk</i>          |  |
| APPROVED                    |  |
| Date                        |  |
| By <i>City Engineer</i>     |  |
| Date                        |  |
| By                          |  |