

ORDINANCE NO. 12-1-23

AN ORDINANCE OF THE CITY OF BROMLEY AMENDING SECTION 97.02(B) AND ADDING A NEW SECTION OF CHAPTER 97 OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF BROMLEY REGARDING AMPLIFIED SOUND AND USE OF FIREWORKS IN THE CITY.

BE IT ORDAINED BY THE CITY OF BROMLEY, KENTUCKY:

SECTION I

That Chapter 97.02(B) of the official code of ordinances of the City of Bromley is amended to read as follows:

§ 97.02 DECLARATION OF NOISE.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but said enumeration shall not be 7:00 a.m. and 10:00 p.m deemed to be exclusive, namely:

(B) *Radios, phonographs and the like.* The using, operating or permitting to be played, used or operated any radio, stereo, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which the machine or devise is operated and who are voluntarily listeners thereto. The operation of any set, instrument, phonograph, machine or device in a manner as to be plainly audible at a distance of 50 feet from the location thereof shall be prima facie evidence of a violation of this section. Amplified sound is permitted between 7:00 a.m. and 10:00 p.m. Sunday through Thursday and 7:00 a.m. and 11:00 p. m. Friday and Saturday. Unamplified sound that does not otherwise violate the provisions of this ordinance is permitted.

SECTION II

A new section of Chapter 97 of the Official Code of Ordinances of the City of Bromley is hereby adopted as follows:

As used in this section, "FIREWORKS" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation.

"FIREWORKS" does not include:

(1) Exception number 1: Toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps manufactured in accordance with DOT regulations, and packed and shipped according to said regulations, are not considered to be fireworks and shall be allowed to be used and sold at all times.

(2) Exception number 2: Model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models are not considered to be fireworks.

(3) Exception number 3: Propelling or expelling charges consisting of a mixture of sulfur, charcoal, and saltpeter are not considered as being designed for producing audible effects.

It shall be unlawful for any person to cause fireworks to be set off or to allow fireworks to be set off on property in which said person has an interest either by ownership or rental between the hours of 10:00 p.m. to 8:00 a.m. Sunday through Thursday or between the hours of 11 00 p.m. to 8:00 a.m. Friday and Saturday. New Year's Eve and the Fourth of July shall be exceptions to the previously enumerated restrictions, whereby fireworks shall be allowed on July 4 between 8:00 a.m. and 11:00 p.m., and shall be allowed from 11: p.m. December 31 through 12:30 a.m. on January 1.

SECTION III

All ordinances in conflict herewith are to the extent of such conflict repealed.

SECTION IV

The invalidity of any section, subsection, or sentence or the ordinance shall not affect the remainder.

SECTION V

This Ordinance shall take effect and be in full force from and after its passage, approval, and publication, according to law.

CITY OF BROMLEY, KENTUCKY
A municipal corporation

BY: Mehi D. Park
MAYOR

FIRST READING 12/27/23

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YES

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NO

SECOND READING Mehi D. Park 1/9/2024

YES

0
NO

ATTEST:
Dorothy Higman
CITY CLERK