

ORDINANCE NO. 362 _____

AN ORDINANCE OF THE CITY OF PORT ST. JOE AMENDING SECTION 10-1 OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. JOE BY CHANGING THE HOURS RECORDED MUSIC MAY BE PLAYED AND BY LIMITING THE VOLUME LEVEL THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Citizens of the City of Port St. Joe desire to socialize together at various times, and

WHEREAS, the playing of recorded music is prohibited at certain times during which the city citizens socialize;

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF PORT ST. JOE:

I. Section 10-1. Currently reads as follows:

SECTION 10-1. Regulation of hours of playing certain music in business places.

It shall be unlawful for any person to allow any jukebox or other electric or mechanical phonograph or music box to be operated or played in any place of business in the city from 11:00 p.m., to 8:00 a.m. on any Monday, Tuesday, Wednesday, Thursday or Friday and from midnight Saturday to 8:00 a.m. Monday of any week.

SECTION 10-1 is amended to read as follows:

SECTION 10-1. Regulation of hours of playing certain music in business places.

(a) It shall be unlawful for any person to play or allow to be played recorded music in any place of business in the City from 11:00 p.m., to 8:00 a.m. on any Monday, Tuesday, Wednesday, Thursday or Friday and from Midnight Saturday to 2:00 p.m. Sunday and from 10:00 p.m. Sunday until 8:00 a.m. Monday of any week.

(b) During the time recorded music is allowed to be played, it shall be unlawful to play recorded music at a volume level such that the sound is plainly audible at a distance of 100 feet from the building or structure containing the point of origin of the sound. The City Commission may permit an exception to this limit for special events such as a street dance, festival, or other special occasion

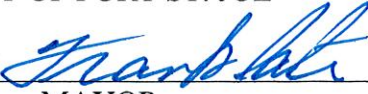
II. SEVERABILITY: If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable such declaration shall not be deemed to affect the remaining portions of this Ordinance.

III. EFFECTIVE DATE: This Ordinance shall be effective 30 days after adoption.

PASSED FIRST READING ON: _____

PASSED SECOND READING ON: 10-03-2006

CITY OF PORT ST. JOE

BY: 
MAYOR

ATTEST:


CITY CLERK