



**Council
Communication**
Office of the City Manager

Date

October 13, 2008

Agenda Item No. 53

Roll Call No. 08-

Communication No. 08-612

Submitted by: Judy Bradshaw, Chief of Police

AGENDA HEADING:

Amending Chapter 114 by adding a new section 114-364 to Article IX of the traffic code.

SYNOPSIS:

Recommend approval of amending Chapter 14 of the municipal code by adding new section 114.364. This new section makes it a traffic code violation to operate sound systems too loudly in a vehicle. This is similar to violations for operating sound systems too loudly under the noise ordinance section 42-259(d).

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

This amendment is necessary to allow the district court to have jurisdiction over juveniles that may be ticketed for this type of sound violation that occurs with sound systems in vehicles. Currently a sound ordinance violation as applied to juveniles is a delinquent act which must be resolved in Juvenile Court. There is an exception in the juvenile code for traffic violations. Since the sound violation under the proposed ordinance would become a traffic code violation, the jurisdiction for juveniles would be in the district court.

This will make prosecution for this type of sound violation uniform for both juveniles and adults. It will also make it easier to prosecute since it will be handled the same as other traffic code violations.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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