

ORDINANCE NO. 1024

**AN ORDINANCE ESTABLISHING A NOISE ORDINANCE FOR SOUND
AMPLIFICATIONS SYSTEMS AND PUNISHMENT FOR USE THEREOF WITHIN
THE CITY OF DOWNS, KANSAS.
(PUBLISHED JULY 9, 2026)**

Be It Ordained by the Governing Body of the City of DOWNS:

SECTION 1: That Section 11-201 of the Code of the City of Downs, Kansas is hereby amended to read as:

11-201. Loud sound amplification systems prohibited.

(a) No person operating or occupying a motor vehicle on a street, highway, alley, parking lot, or driveway shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of fifty (50) feet or more from the vehicle.

(b) No person occupying residential or commercial real estate shall operate or permit the operation of any sound amplification system from within such residential or commercial real estate, the yard or curtilage pertaining thereto, so that the sound is plainly audible at a distance of fifty (50) feet or more from property line of such real estate.

(c) No person occupying a dwelling unit involving multi-family residential real estate shall operate or permit the operation of any sound amplification system so that the sound is plainly audible within the residential units of others that occupy a dwelling unit on such multi-family residential real estate, whether denoted as an apartment or duplex dwelling.

(d) "Sound amplification system" means any radio, phonograph, tape player, compact disc player, MP3 player, loud speakers, or other electronic device used for the amplification of sound.

(e) "Plainly audible" means any sound produced by a sound amplification system from within a vehicle, residential or commercial real estate which clearly can be heard at a distance of fifty (50) feet or more. Measurement standards shall be the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included. A motor vehicle may be stopped, standing, parked, or moving on a street highway, alley, parking lot, or driveway. A sound amplification system can be located within residential or commercial real estate, apartment or duplex, or situated in the yard or curtilage of such properties.

(f) Exceptions:

(1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition.

(2) The vehicle was an emergency or public safety vehicle.

(3) The vehicle was owned by the City of Downs or a gas, electric, communications, or refuse company.

(4) The vehicle or home sound amplification system was used in authorized public activities, such as parades, carnivals, fireworks, holidays, sport events, musical productions, or other activities which have been granted approval from the City.

(g) Penalty: Any person, individual, partnership, corporation, or association who violates any of the provisions of this article is guilty of a class B misdemeanor, and upon conviction shall be punished by a fine not less than \$100.00 and not to exceed \$500.00 or by imprisonment of not more than six months, or by both fine and imprisonment for the first conviction. Upon a second conviction: a fine of not less than \$250.00 and not to exceed \$750.00 or six months imprisonment or both. Upon a third conviction or more: a fine of not less than \$500.00 and not to exceed \$1,000.00 or by six months imprisonment or both.

Each day any violation hereof is found to exist or continues to exist shall be a separate offense and punishable as set out in this article.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in force and take effect from and after the date of its approval and adoption as shown below and its publication in the official City newspaper.

PASSED AND ADOPTED by the Governing Body of the City of Downs, Kansas on the 6th day of July, 2026.

Vienna M. Janis
Vienna Janis, Mayor

ATTEST:

Miranda Robinson
Miranda Robinson, City Clerk



ORDINANCE NO. 1024 SUMMARY

On July 6, 2026, the City of Downs, Kansas adopted Ordinance No. 1024 regarding the adoption of a noise ordinance prohibiting the use of sound amplification systems that can be heard 50 feet or more from source with exceptions and punishments. A complete copy of this ordinance is available at WWW.DownsKS.net or at city hall at 715 Railroad Avenue, Downs, Kansas. This summary is certified by Bruce Berkley, City Attorney.