AN ORDINANCE DECLARING CERTAIN CONDITIONS TO BE NUISANCES AND MAKING IT UNLAWFUL TO MAINTAIN ANY SUCH CONDITION; DECLARING THE MAINTENANCE THEREOF A MISDEMEANOR; REGULATING ADVERTISING BY SOUND AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

The City Council of the Town of San Anselmo does ordain as follows:

SECTION 1. That the maintenance or emission of any noise or sound produced by human, animal or mechanical means, between the hours of 9 o'clock p.m. and 8 o'clock a.m. of the following day, which, by reason of its volume, raucous or nerve-racking nature, shall disturb, or manifestly tend to disturb, the peace or comfort of, or be injurious to the health of, any person or persons, shall constitute a public nuisance.

SECTION 2. It shall be unlawful for any person to maintain, or cause or permit to be maintained, any noise or sound described in the preceding paragraph. Any person so maintaining, or causing or permitting to be maintained, any noise or sound in violation of this ordinance, or which is by this ordinance declared to be a public nuisance, shall be guilty of a misdemeanor.

SECTION 3. It shall be the duty of the Chief of Police of the Town of San Anselmo to summarily abate any sound or noise in this ordinance declared to be a public nuisance.

SECTION 4. It shall be unlawful for any person, persons, firm or corporation to advertise any business, merchandise for sale, political campaign, carnival, fair, or any-thing whatsoever, by sound or noise, produced by human or mechanical means, except by radio broadcast directly from a regularly licensed broadcast station, without first securing a permit therefor from the Chief of Police, and upon the payment of a license fee in the sum of $5.00 per day, provided that no fee for such permit shall be for any advertisement of a fair, carnival or similar affair, held entirely for charitable purposes; "services that are not..."
shall be issued for such advertising between the hours of nine p.m. and nine a.m.

SECTION 5. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction of any violation, shall be punishable by imprisonment in the county jail for a period not exceeding three months, or by a fine not exceeding $300.00, or both such imprisonment and fine.

SECTION 6. If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid.

SECTION 7. This ordinance is hereby declared to be an urgency measure immediately necessary for the protection and preservation of the public health, safety, peace and general welfare, and shall take effect immediately upon its final passage and adoption, and shall thereafter be published once within fifteen days after the passage thereof, in the San Anselmo Herald a newspaper of general circulation, published and circulated in the Town of San Anselmo and hereby designated for that purpose. The facts constituting said condition of urgency are as follows: That at the present time it is lawful for persons to make any noises at any hour of the day and night, and to advertise by sound truck and otherwise, in such manner as is detrimental to the public health, safety and general welfare of the people of the Town of San Anselmo.

The foregoing ordinance was duly and regularly introduced at a regular meeting of the City Council of the Town of San Anselmo, held in said town on the 19th day of July, 1939, and was there-
after at an adjourned regular meeting of the said City Council
held in said town on the 8th day of August, 1939, duly passed
and adopted by the following vote:

AYES: COUNCILMEN:  Fischin, Millard & W.L. T.

NOES: COUNCILMEN:  One

ABSENT: COUNCILMEN:  Carroll & Thor

Signed and approved this 8th day of August, 1939.

Earl J. White  Mayor ProTEM

MAYOR OF THE TOWN OF SAN ANSELMO

ATTEST: CLerk OF THE TOWN OF SAN ANSELMO