



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 21-06

AN ORDINANCE AMENDING SECTION 26-32 OF THE LEXINGTON COUNTY NOISE ORDINANCE.

WHEREAS, activities originating in the unincorporated area of Lexington County can affect residential areas of the incorporated areas; and

WHEREAS, the current noise ordinance is not applicable to any noise that affects incorporated areas of Lexington County; and

WHEREAS, County Council has determined that it would be in the best interest of the County to include incorporated residential areas as protected areas of the noise ordinance;

NOW, THEREFORE, BE IT ORDAINED that Section 26-32 of the Lexington County Code Noise Ordinance is hereby amended as follows:

Section 26-32.

It shall be unlawful for any person **within the unincorporated areas of the County** to willfully make or continue, or cause to be made or continued, any loud, unnecessary and unusual noise which disturbs the peace and quiet of any unincorporated **or incorporated** residential area or which causes discomfort or annoyance to any person in any unincorporated **or incorporated** residential area of the County. This **noise** shall include, but not be limited to, noises made by motor vehicles, motorboats, mechanical devices, electrical devices, electronic devices, human voice, **music**, musical instruments, animals and all activities accessory to residential living. In determining whether an occurrence constitutes a violation under this Section, a court or other authority should consider, in addition to all other logically relevant factors, one or more of the following:

- (1) The intensity of the noise;
- (2) The general characteristics of the area where the noise is occurring;
- (3) The time of day or night that the noise is occurring;
- (4) The reasonable expectation of quiet that could be expected by individuals on public or private property surrounding the area where such noise is occurring;
- (5) Any previous request by law enforcement officers or citizens for the abatement of any such noise; and

- (6) In the case of motor vehicles and/or motorboats, whether or not such vehicles are equipped with mufflers and/or such suppression devices which keep exhaust noises down to a level equal to or below that which the manufacturers of such vehicles provided as original equipment designed for acceptable use.

Effective Date. This Ordinance shall be effective from the date of its third reading and enactment.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2021.

M. Todd Cullum
Chairman, Lexington County Council

ATTEST:

Brittany Shumpert, Clerk

First Reading: April 13, 2021

Public Hearing: June 22, 2021

Second Reading: _____

Third & Final Reading: _____

Filed w/Clerk of Court: _____