



FANNIN COUNTY NOISE CONTROL ORDINANCE

Approved April 9, 2024

This ordinance is adopted to protect, preserve, and promote the health, safety, and welfare of the citizens of Fannin County, Georgia. It is adopted to promote and protect the wildlife that is indigenous to the area. It is the intent of this ordinance to establish standards that will reduce excessive community noises, which are harmful and otherwise detrimental to individuals and to the community in the enjoyment of life and property and in the conduct of business. At the same time, it is also the intent of this article to balance the rights of property owners producing sound in the pursuit of business, recreation, or maintenance with the rights of property owners who may be receiving these sounds.

A. RESTRICTIONS ON USE OF SOUND AMPLIFYING EQUIPMENT

1. No person shall use or cause to be used sound amplifying device or equipment at any place outdoors in the unincorporated areas of Fannin County, except in accordance with subsection 2. Sound-amplifying device or equipment means any machine or device for the amplification of the human voice, music, or any other sound. Sound-amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in the article, shall not include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.
2. Sound amplifying devices and equipment:
 - a. Shall be operated in a manner that directs sound, to the extent feasible, toward open unoccupied space and away from any residential area. For the purposes of this article, residential area means any real property that contains a structure or building in which one or more persons reside.
 - b. Shall not be used outdoors between the hours of 10:00 p.m. and 6:00 a.m. Sunday through Thursday and not between the hours of 11:00 p.m. and 6:00 a.m. Friday and Saturday except when other time limitations have been approved as a condition of any other ordinances of the County, or otherwise

approved by the Board of Commissioners for one-time event under a special event permit.

B. EXCEPTIONS

This ordinance shall not be construed to apply to the use of sound amplifying equipment or devices under the following circumstances:

1. Sound amplification equipment or devices used on private owned property, where the sound produced does not carry beyond the real property line.
2. Radios, stereo systems, televisions and other, similar, audio equipment, when the volume does not exceed the volume of normal conversational speech.
3. Sound amplification equipment or devices used on emergency vehicles or by government employees in connection with any activity undertaken for the protection of the public health or safety.
4. Sound amplification equipment or devices used as part of an organized school related program, activity, event or parade or other activities, or events authorized by the Board of Commissioners of Fannin County.
5. The reasonable use of amplifiers or loudspeakers during public addresses which are noncommercial.

C. FIREWORKS.

It shall be unlawful to use, ignite, or cause to be ignited any fireworks or consumer fireworks, as defined by O.C.G.A. 25-10-1, that are plainly audible across a real property boundary line except as follows:

- (1) Consumer fireworks may be used, ignited, or caused to be ignited on any day beginning at the time of 10:00 A.M. and up to and including the ending time of 9:00 P.M. In addition, consumer fireworks may also be used, ignited, or caused to be ignited on January 1, July 3, July 4, and December 31 of each year after the time of 9:00 P.M. and up to and including the time of 11:59 P.M. and on January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1 A.M.;
- (2) In addition to those days set forth herein, consumer fireworks may also be used, ignited, or caused to be ignited on any other day after the time of 9:00 P.M. and up to and including the time of 11 P.M., if a permit for

such use or ignition has been issued by the Fannin County Fire Department;

- (3) Notwithstanding anything to the contrary in this section, the use or ignition of any fireworks or consumer fireworks is prohibited on any property owned or operated by or under the custody and control of Fannin County unless a permit has been issued by Fannin County and provided further that any such use or ignition pursuant to such a permit may begin no earlier than 10:00 A.M. and end no later than 11:59 P.M.;
- (4) Notwithstanding anything to the contrary in this section, the use or ignition of consumer fireworks as provided for herein may not be in a location where such use or ignition is prohibited pursuant to O.C.G.A. 25-10-2; and
- (5) Any person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks, whether before a proximate audience, shall first obtain a permit from the Fannin County Probate Court Judge pursuant to O.C.G.A. § 25-10-4. Any such public exhibition or display of fireworks for which a permit is issued pursuant to O.C.G.A. § 25-10-4 shall be exempt from the provisions of this ordinance pertaining to noise; provided, however, that the permit holder must comply with any and all other applicable county ordinances and state laws, including those county ordinances pertaining to the use of property owned or operated by or under the custody and control of Fannin County.

D. CRYPTO MINING-

Crypto Mining is currently prohibited.

E. VIOLATIONS

This ordinance shall be enforced by the Fannin County Sheriff's Office or Fannin County Code Enforcement Officer. Any person who uses or causes to be used any sound amplifying equipment or device in violation of the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine of up to \$1000.00 or imprisonment for 60 days or both. The Fannin County Sheriff's Office or Fannin County Code Enforcement Officer shall have the discretion to issue a warning in lieu of a summons for the first offense. Each incident shall be a separate violation such that multiple violations may occur on the same date. If a person is warned or cited for a violation of this ordinance and corrects the violation but then later, on the same date, uses or causes to be used any sound amplifying equipment or devices in violation of the provisions of this ordinance, such person may be cited for a separate violation of this ordinance.

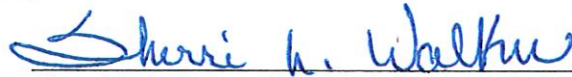
CERTIFICATION

STATE OF GEORGIA

COUNTY OF FANNIN

I, Sherri L. Walker, the duly appointed County Clerk for the Board of Commissioners of Fannin County, Georgia, and keeper of the minutes in and for the said Board of Commissioners, do hereby certify that the attached constitutes a full, complete and correct copy of the original approved by the Fannin County Board of Commissioners at a regular meeting held on April 9th, 2024.

Given under my official signature and seal of office, on this the 9th day of April, 2024.



Sherri L. Walker, Certified County Clerk
Fannin County Board of Commissioners

(SEAL OF OFFICE)

