

ORDINANCE NO. 2026-04

AN ORDINANCE AMENDING ARTICLE 3, CHAPTER 11 OF THE CITY CODE OF THE CITY OF LEON, KANSAS, RELATING TO NOISE REGULATIONS; REPEALING ORDINANCE NO. 2021-02; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEON, KANSAS:

SECTION 1.

Article 3, Chapter 11 of the Code of the City of Leon, Kansas, is hereby amended to read as follows:

ARTICLE 3. NOISE

11-301. Authority and Purpose.

This Article is adopted pursuant to the City's Home Rule authority under Article 12, Section 5 of the Kansas Constitution and K.S.A. 12-3001 et seq., for the purpose of protecting the public health, safety, and welfare by regulating excessive, unreasonable, and disturbing noise within the City of Leon.

11-302. Definitions.

For purposes of this Article:

- (a) **dB(A)** – A weighted sound level measured in decibels by a properly calibrated sound level meter.
- (b) **Emergency Motor Vehicle** – A vehicle belonging to fire, EMS, law enforcement, or other authorized emergency responders.
- (c) **Noise Disturbance** – Any sound which:
 - 1. Endangers or injures the safety or health of humans or animals;
 - 2. Unreasonably disturbs a person of ordinary sensibilities;
 - 3. Interferes with the peaceful enjoyment of property; or
 - 4. Exceeds measurable limits established herein.
- (d) **Plainly Audible** – Clearly heard by a reasonable person using unaided hearing. It is not necessary to distinguish words or melody. Bass alone qualifies.
- (e) **Property Owner** – As reflected by Butler County records.
- (f) **Tenant** – Any person occupying real property by lease or agreement.
- (g) **Sound Amplification Device** – Any device which produces, reproduces, or amplifies sound.
- (h) **Animal** – Any domestic or non-domestic animal kept, harbored, or maintained within the City.

11-303. Noise Disturbance Unlawful.

It shall be unlawful to make, cause, or permit a Noise Disturbance within the City.

A Noise Disturbance includes:

(1) Measured Sound Levels.

Sound exceeding the following limits when measured at or within the property boundary of the receiving property:

Time	Maximum
7:00 a.m. – 10:00 p.m.	55 dB(A)
10:00 p.m. – 7:00 a.m.	50 dB(A)

A decibel reading shall not be required for enforcement where plainly audible standards apply.

(2) Animal Noise.

The owning, keeping, or harboring of any animal that:

- (a) Continuously barks, howls, bays, or makes noise for ten (10) consecutive minutes; OR
- (b) Makes intermittent noise for thirty (30) minutes within any one-hour period;

when such sound is plainly audible across a property boundary.

Isolated or brief barking shall not constitute a violation.

Three (3) verified violations within a sixty (60) day period shall constitute a Chronic Animal Noise Nuisance.

(3) Construction Activity.

Construction, excavation, demolition, or repair work creating sound plainly audible across a property boundary between 10:00 p.m. and 7:00 a.m., except in emergencies.

(4) Vehicle Repair / Testing.

Repairing or testing vehicles in a manner plainly audible across a property boundary between 10:00 p.m. and 7:00 a.m.

(5) Vehicle Sound Systems.

Operation of any sound amplification device from a vehicle that is plainly audible at a distance of fifty (50) feet or more.

This shall constitute a traffic offense.

(6) Residential Power Equipment.

Operation of lawnmowers, garden tools, snow blowers, and similar equipment plainly audible across a property boundary between 10:00 p.m. and 7:00 a.m.

(7) Late Night Amplified Sound.

Operating any sound amplification device in a manner plainly audible across a property boundary between 10:00 p.m. and 7:00 a.m.

11-304. Responsibility for Abatement.

(a) It shall be unlawful for any Property Owner, Tenant, or person in control of property to allow a Noise Disturbance.

(b) Failure to take reasonable steps to abate the disturbance after notice shall constitute a violation.

(c) For gatherings or parties creating a Noise Disturbance, law enforcement may order dispersal. Failure to comply shall constitute a separate violation.

11-305. Public Nuisance.

Repeated violations of this Article are declared a public nuisance.

Upon three (3) violations within a twelve (12) month period, the City may:

- Seek enhanced penalties
- Initiate nuisance abatement proceedings
- Assess lawful abatement costs

11-306. Exemptions.

This Article shall not apply to:

- (a) Emergency Motor Vehicles;
- (b) Government or utility operations responding to emergencies;
- (c) City-approved events with written permit;
- (d) Agricultural activities consistent with zoning;
- (e) Snow removal or emergency weather operations.

11-307. Penalties.

(a) First Offense: Fine of not less than \$100 and not more than \$500.

(b) Second Offense within twelve (12) months: Fine of not less than \$250 and not more than \$500.

(c) Third or Subsequent Offense within twelve (12) months: Fine of \$500.

(d) The Court may impose a jail term not to exceed six (6) months as authorized by Kansas law.

(e) Each occurrence, and in the case of a continuing violation, each day the violation continues after notice shall constitute a separate offense.

(f) If law enforcement responds more than once within a twenty-four (24) hour period to the same property for a Noise Disturbance, the City may assess an administrative response fee of \$250.

SECTION 2.

Ordinance No. 2021-02 and any portions of the Code in conflict herewith are hereby repealed.

SECTION 3.

This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and publication once in the official newspaper of the City. The official newspaper of the City is the city website: www.cityofleon.org.

ADOPTED AND PASSED by the Governing Body of the City of Leon, Kansas this 2nd day of March, 2026, and **APPROVED AND SIGNED** by the Mayor on March 2, 2026

Mayor Kristina Semisch

Kristina Semisch

ATTEST:

City Clerk Jodie Laidler

Jodie Laidler

