

I. Noise.

1. The keeping of any animal or bird which, by causing frequent or long-continued noise disturbs the peace and quiet of persons in the neighborhood or the occupants of adjacent premises who have and possess normal nervous sensibilities.
2. Any condition prohibited by the Texas Penal Code, Section 42.01(a) (5), as amended.

(Amend Ord 07-045, 6/19/07)

ARTICLE II - 7

(Amend Ord 07-045, 6/19/07)

**Texas Penal Code § 42.01. DISORDERLY CONDUCT.**

(a) A person commits an offense if he intentionally or knowingly:

- (1) uses abusive, indecent, profane, or vulgar language in a public place, and the language by its very utterance tends to incite an immediate breach of the peace;
- (2) makes an offensive gesture or display in a public place, and the gesture or display tends to incite an immediate breach of the peace;
- (3) creates, by chemical means, a noxious and unreasonable odor in a public place;
- (4) abuses or threatens a person in a public place in an obviously offensive manner;
- (5) makes unreasonable noise in a public place other than a sport shooting range, as defined by Section 250.001, Local Government Code, or in or near a private residence that he has no right to occupy;