

Sec. 54-5. - Offensive activities near residences; hours limited.

- (a) It shall be unlawful for any person to perform labor or work, operate or conduct any business or enterprise intended to be for profit in the city at a location so close to inhabited dwellings, apartments or hotels, that the noise or odor emitted from the operation of such business or enterprise shall disturb or be detrimental to the health, peace or quiet of any occupants thereof, on:
  - (1) Any Sunday or any of the following enumerated holidays, to wit: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day; or
  - (2) On any other day except between the hours of 8:00 a.m. to 6:00 p.m. from December 1 to July 1 of each year, and except between the hours of 8:00 a.m. to 7:00 p.m. from the July 1 to the December 1 of each year.
  - (3) The limitations in this section as to days of work and hours of work shall not apply to any duly licensed and franchised solid waste and trash collection franchisees. The hours of operation for such licensed franchisees in a residential district shall commence at 7:00 a.m. throughout the year and shall terminate at 6:00 p.m. on December 1 to the July 1 of each year and shall terminate at 7:00 p.m. from July 2 to November 30 of each year. In commercial collection areas the hours of operation may commence at 7:00 a.m. and terminate at 9:00 p.m. on each day. In residential areas no collection shall be made on Sunday except in a time or emergency or to maintain schedules disrupted due to holiday conflicts.
- (b) In the event any public emergency exists during prohibited hours, then upon application made to the chief of police and after an investigation and determination by him that such operation would be in the public interest, he may issue a permit authorizing such business to operate for the limited period of time of such emergency.

(Code 1979, § 12-18)