

ORDINANCE NO. 3901

AN ORDINANCE AMENDING THE BROKEN ARROW CODE OF ORDINANCES, CHAPTER 16 – OFFENSES – MISCELLANEOUS, ARTICLE I – IN GENERAL, SECTION 16-12 – DISTURBING THE PEACE; DISORDERLY CONDUCT; ADDING A NEW SUBSECTION TO ADDRESS NOISE FROM PLACES OF PUBLIC ASSEMBLY LOCATED NEAR RESIDENTIAL PROPERTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:

SECTION 1. Amendment.

That Chapter 16, Offenses – Miscellaneous, Article I – In General, Section 16-12, “Disturbing the peace; disorderly conduct,” of the Broken Arrow Code of Ordinances is hereby amended by adding a new subsection (a)(9) to read as follows (subsections not amended hereby are not set out in full and remain in effect):

Sec. 16-12. Disturbing the peace; disorderly conduct.

(a) It shall be unlawful for any person at any time to willfully or maliciously disturb the public peace or quietude by creating any noise of such character or duration so as to be loud and unnecessary to a person of ordinary sensibilities. Such noises shall include, but not be limited to, the following:

- (9) Places of public assembly adjacent to residential property.
 - (i) For purposes of this subsection, “place of public assembly” means any building or structure used or designed for the regular assembly of persons, including but not limited to community centers, auditoriums, parks, event centers, lodges, clubs, houses of worship, and similar facilities.
 - (ii) It shall be unlawful to operate or permit the operation of any sound amplification equipment, live or recorded music, or similar sound source in or upon a place of public assembly that is located within three hundred (300) feet of property that is zoned or used for residential purposes, in such a manner that the sound is plainly audible inside any dwelling unit on such residential property, with doors and windows closed, for a continuous period in excess of ten (10) minutes.
 - (iii) For purposes of this subsection, “plainly audible” means any sound where the bass, rhythm, or melody is clearly perceptible to a person of ordinary sensibilities inside the dwelling unit.
 - (iv) This subsection shall not apply within any specific geographical area that is otherwise exempted from the *prima facie* nighttime noise standards of subsection (a)(5) of this section, nor shall it be construed to limit or restrict the exemption for bells, chimes, and carillons set forth in subsection (c)(6) of this section.

SECTION II. Severability.

If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION III. Emergency Clause.

It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication as provided by law.

PASSED AND APPROVED and the clause ruled upon separately this 3rd day of February, 2026.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY