

# HB564 INTRODUCED



1 HB564  
2 W1J4L9E-1  
3 By Representative Givan (N & P)  
4 RFD: Jefferson County Legislation  
5 First Read: 03-Mar-26



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to Jefferson County; to authorize the Jefferson County Commission to adopt an ordinance prohibiting noise disturbances in unincorporated residential areas of the county; to define "noise disturbance"; and to provide for collection of civil fines for violations of the ordinance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the purposes of this act, the following terms have the following meanings:

(1) BOUNDARY LINE. Any line that distinguishes ownership or possession of real property, including a survey line separating lots, or a common wall or ceiling or floor within a building with more than one dwelling such as a duplex, condominium, apartment, or townhouse, and extending outside to any feature such as a fence, hedge, path or walkway, or ditch that is shared by at least two dwellings.

(2) dBA. Sound level as measured by A-weighted decibel units.

(3) NOISE DISTURBANCE. a. Any of the following conditions:

1. When an individual plays any electronic device for





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57           5. When an individual, having the right to control the  
58 source of the sound, causes or permits any sound between the  
59 hours of 8:00 p.m. and 8:00 a.m., which is not continuous but  
60 repeats at intervals within a period of at least one-half hour  
61 such that a reasonable individual located across at least one  
62 boundary line from the source would be disturbed in the  
63 enjoyment of his or her property.

64           6. When an individual who owns or controls a dog  
65 permits the dog to be outdoors and bark continuously for 10  
66 minutes or more.

67           b. The term does not include any of the following sound  
68 sources:

69           1. Any equipment operated by any police, fire  
70 department, rescue squad, ambulance, or other emergency  
71 response service.

72           2. Any school-related activity, including sound  
73 incidental to the start and end of a school day, recess, bells  
74 and alarms, athletic training, a band, an orchestra, a dance,  
75 a concert, or a sporting event.

76           3. Any construction-related activity, including  
77 demolition, excavation, filling, grading, delivery of  
78 materials, operation of machinery and power equipment, and  
79 building, assembly, and installation.

80           4. Any home or vehicle security system or alarm,  
81 provided that the individual in control of the system or alarm  
82 silences the system or alarm as soon as is reasonably  
83 possible.

84           5. Any lawn mower or domestic power tool operated



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85 between the hours of 6:00 a.m. and 9:00 p.m.

86 6. Any electric generator in the case of a power  
87 outage.

88 7. Vehicle traffic, aircraft, and trains.

89 8. Any lawful public gathering or rally, including live  
90 music or amplified sound.

91 9. Garbage and recycling collection.

92 (4) RESIDENTIAL AREA. Any real property within an area  
93 that has a zoning classification beginning with 'R-'.

94 Section 2. (a) The Jefferson County Commission may  
95 adopt for the residential area within Jefferson County and  
96 outside of the corporate limits of any municipality an  
97 ordinance that prohibits any noise disturbance in that area.

98 (b) The Jefferson County Commission may provide that a  
99 violation of the ordinance shall be a public nuisance subject  
100 to a civil fine, to be issued by citation by a law enforcement  
101 officer or constable, of not more than two hundred dollars  
102 (\$200) for the first violation, not more than six hundred  
103 dollars (\$600) for the second violation, and not more than one  
104 thousand eight hundred dollars (\$1,800) for the third  
105 violation.

106 (c) The civil fine shall be considered a debt owed to  
107 the Jefferson County Commission when it becomes final in one  
108 of the following ways:

109 (1) Thirty days after issuance of the citation, unless  
110 the person cited within that period requests a due process  
111 hearing challenging the validity of the citation before the  
112 Jefferson County Commission or a hearing officer designated by



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113 the Jefferson County Commission.

114 (2) Thirty days after the due process hearing concludes  
115 with an order upholding the validity of the citation, unless  
116 the person cited within that period files an appeal in the  
117 Circuit Court of Jefferson County for a hearing de novo on the  
118 validity of the citation.

119 (3) Immediately upon the issuance of an order of the  
120 Circuit Court of Jefferson County concluding that the citation  
121 is valid.

122 (d) (1) The Jefferson County Commission may enforce a  
123 final civil fine by civil action in the same manner as any  
124 other debt. The individual owing the fine shall be liable for  
125 all costs, including court costs and attorney fees, if a civil  
126 action is necessary to collect the fine.

127 (2) The Jefferson County Commission may commence a  
128 civil action in the Circuit Court of Jefferson County to abate  
129 or enjoin any ongoing or persistent violation of either  
130 ordinance. The person cited shall be assessed all costs of  
131 abatement, including court costs and attorney fees.

132 Section 3. This act shall become effective on October  
133 1, 2026.