



STATE OF TEXAS §

COUNTY OF COMAL §

**RESOLUTION #2010-46**

**SUPPORTING LEGISLATION RELATING TO THE DECIBEL LEVEL REQUIRED FOR DISORDERLY CONDUCT**

WHEREAS, Section 42.01 of the Penal Code requires a decibel level of 85 for disorderly conduct based on unreasonable noise;

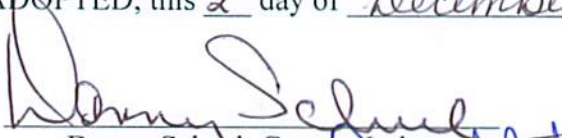
WHEREAS, the Comal County Commissioners Court has received numerous complaints from its constituents regarding unreasonable noise in their neighborhoods, which disturbs their peace and enjoyment of their homes, and that law enforcement was unable to take any action because the noise did not rise to 85 decibel level;


WHEREAS, the noises below 85 decibel level are disruptive to such neighborhoods, and therefore such decibel level required for law enforcement to enforce Disorderly Conduct should be lowered to 70;

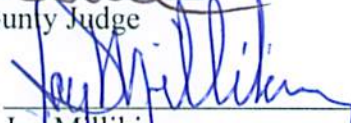
WHEREAS, the Comal County Commissioners Court supports legislation changing the decibel level required under Section 42.01 of the Penal Code from 85 to 70;

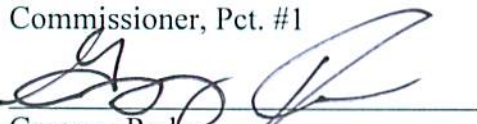
NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County, Texas does hereby request that Senator Jeff Wentworth and Representative Doug Miller of the Texas Legislature introduce a bill in the upcoming legislative session amending Section 42.01 of the Penal Code to lower the decibel level from 85 to 70.

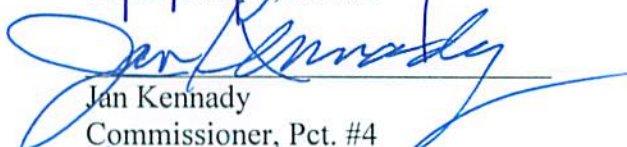
PASSED AND ADOPTED, this 2<sup>nd</sup> day of December, 2010.

  
\_\_\_\_\_  
Danny Scheel, County Judge

  
\_\_\_\_\_  
Donna Eccleston  
Commissioner, Pct. #1

  
\_\_\_\_\_  
Jay Millikin  
Commissioner, Pct. #2

  
\_\_\_\_\_  
Gregory Parker  
Commissioner, Pct. #3

  
\_\_\_\_\_  
Jan Kennady  
Commissioner, Pct. #4



ATTEST:   
\_\_\_\_\_  
Hon. Joy Streater, County Clerk