

TENTH KOROR STATE LEGISLATURE

5<sup>th</sup> Day of 1<sup>st</sup> Regular Session, Feb. 20, 2014 L.B. No. 10-7

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**A BILL FOR AN ACT**

To prohibit commercial establishments from playing music in open-air spaces after 10:00 p.m.; to require commercial establishments to enclose any spaces in which music is played after 10:00 p.m.; and for related purposes.

**THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR DO ENACT AS FOLLOWS:**

**Section 1. Findings.**

1           The Tenth Koror State Legislature (the “Legislature”) hereby finds that some nightclubs  
2           and other commercial establishments in Koror State offer open-air music as entertainment to their  
3           customers. In some cases, these establishments play live or recorded music in open-air spaces late  
4           into the evening and early morning hours. The noise produced by these establishments travels into  
5           residential areas of Koror, impacting the health and well-being of residents. Indeed, the Legislature  
6           has received repeated complaints from Koror residents who are disturbed by the noise coming from  
7           commercial establishments that play music in open-air spaces late at night.  
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9           While the Legislature wishes to support and encourage business and commerce in Koror,  
10          it cannot condone business practices which endanger the health and well-being of Koror residents.  
11          The Legislature therefore finds that it is in the interests of the people of Koror to prohibit  
12          commercial establishments from playing or offering open-air music after 10:00 p.m. Those  
13          establishments which play music after 10:00 p.m. will be required to fully enclose all spaces in  
14          which the music is played and to obtain a building permit from the Koror Planning Commission  
15          prior to building any enclosing walls or structures.

**Section 2. Restrictions on music entertainment at commercial establishments.**

16          A. It shall be unlawful for any commercial establishment in the State of Koror to play live  
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1 transmission of noise to the outside. Before building any walls or other structures to enclose a  
2 space for this purpose, a commercial establishment must first apply for, and obtain, a building  
3 permit from the Koror Planning Commission.

4 C. The Koror Planning Commission shall have the discretion and authority to determine  
5 whether any existing building or structure, or any proposed modifications to a building or structure  
6 for the purpose described in Subsection 2.B above, is adequate in design and/or construction for  
7 purposes of significantly reducing the transmission of noise to the outside, and to require any  
8 necessary modifications to such building or structure to render it in compliance with this Act.  
9 Failure to comply with any such requirements of the Koror Planning Commission shall constitute  
10 a violation of this Act.

11 C. For purposes of this Act, the term "commercial establishment" shall include, without  
12 limitation, bars, nightclubs, and restaurants.

13 **Section 3. Regulations.**

14 The Koror Planning Commission is hereby authorized to promulgate any necessary  
15 regulations to implement and enforce this Act. Such regulations shall have the force and effect of  
16 law.

17 **Section 4. Penalties; Enforcement.**

18 A. The owner of any commercial establishment that violates this Act shall be fined \$100.00  
19 for a first offense, \$250.00 for a second offense, and \$500.00 for a third and each subsequent  
20 offense. Each day that this Act is violated constitutes a separate offense, and a citation may be  
21 issued, and a fine imposed, for each violation.

22 B. Any Koror State Government Law Enforcement Officer, and any person or State  
23 department official authorized by the Governor, including building and zoning officials from the

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1                   **Section 5. Severability.**

2                   In the event that a court of competent jurisdiction determines that any part or portion of  
3 this Act is invalid or otherwise unenforceable, then the offending part or portions may be stricken,  
4 and the remaining portions shall continue in full force and effect.

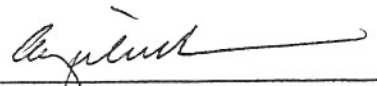
5                   **Section 6. Effective Date.**

6                   This Act shall become effective upon its becoming law by operation of the Koror State  
7 Constitution.

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Date: February 11/2014

Introduced by:   
Legislator Eyos Rudimch, Speaker