

SIDNEY TOWNSHIP NOISE ORDINANCE
NUMBER 11-2001

Section I – Title

This Ordinance shall be known and may be cited as the Sidney Township Noise Ordinance.

Section II – Intent

This Ordinance is intended to protect the public health, safety and general welfare of persons and property within Sidney Township and allow for a peaceful and undisturbed environment for its residents. This Ordinance is intended to prevent and prohibit the unlawful creation or permitting of unreasonably loud, disturbing or unnecessary noise as defined herein. It also provides civil sanctions for the violation of this ordinance; and to repeal all ordinances in conflict herewith.

Section III – Definitions

The following words, terms and phrases used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Plainly audible sound: means any sound of which the information content is unambiguously communicated to the listener such as, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal, communication/noises made by animals, or comprehensible musical rhythms.

Section IV – Regulations

- A. **Unlawful Creation or Permitting.** It shall be unlawful for any person himself, or knowingly to permit another person in any place owned and/or controlled by him, to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing, or unnecessary noise, which either injures or endangers the comfort, repose, health, peace, or safety of others within the limits of the Township.

- B. **Enumeration of Prohibited Acts.** The following acts among others, are declared to be unreasonably loud, disturbing, or unnecessary noises in violation of this section, but such enumeration shall not be deemed exclusive, namely:

1. The sounding of any horn or signal device on any automobile, motorcycle, bus, truck, or other vehicle, except as a danger signal, so as to create any loud or harsh sound plainly audible within any dwelling unit or residence, or the sounding of such device for any unnecessary or unreasonable period of time.
2. The playing or operation of any device designed for sound reproduction including, but not limited to, any radio, television set, musical instrument, phonograph, or loudspeaker, in such a manner or with such volume as to be plainly audible in any dwelling unit or residence which is not the source of the sound, or to operate any such device on public property or on a public right-of-way so as to be plainly audible 50 feet or more from such device.
3. The keeping, owning, boarding or housing of any animal which emanates any loud or harsh noise that is plainly audible to nearby residential properties that persists for an unnecessary or unreasonable period of time. This includes but is not limited to a dog barking.

Section V – Validity

The several provisions of this Ordinance are declared to be separate; if any Court of Law shall hold that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

Section VI – Violation and Penalty

- A. Any person, firm, corporation, trust, partnership or other legal entity that violates or fails to comply with any provision of this Ordinance, and the owner of any land where anything in violation of this Ordinance shall be placed or shall exist, shall be responsible for a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$500.00 for each violation, in the discretion of the Court, and in addition to all other costs, damages and expenses provided by law.
- B. Each day that a violation continues to exist shall constitute a distinct and separate offense, and shall make the violator liable for the imposition of a fine for each day.

- C. The foregoing penalties shall not prohibit the Township from seeking injunctive relief against a violator or such other appropriate relief as may be provided by law.

Section VII – Effective Date

- A. This Ordinance shall take effect 30 days following publication of this Ordinance, or a summary thereof, as provided by law.
- B. This Ordinance was adopted by the Sidney Township Board at its meeting held on the 5TH day of NOVEMBER, 2001.

YEAS: 5

NAYS: 0

ORDINANCE DECLARED ADOPTED

Wesley Thomsen
Wesley Thomsen, Sidney Township Clerk

I hereby certify that the foregoing is a true and complete copy of the Sidney Township Noise Ordinance adopted by the Sidney Township Board at a regular meeting held on the date stated above, and I further certify that public notice of such meeting was given as provided by law.

Wesley Thomsen
Wesley Thomsen, Sidney Township Clerk