

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of ..... COHOCTON, NEW YORK .....  
Town  
~~Village~~

Local Law No. .... 2 ..... of the year 19 89 .....

A local law ...to prevent any unreasonable, loud, disturbing, and unnecessary noise.....  
(Insert title)

Be it enacted by the ..... TOWN BOARD ..... of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of ..... COHOCTON, NEW YORK ..... as follows:  
Town  
~~Village~~

(SEE ATTACHED)

(If additional space is needed, please attach sheets of the same size as this and number each)

1. It is hereby declared to be the policy of the Town Board of the Town of Cohocton, New York, to prevent any unreasonable, loud, disturbing and unnecessary noise. Noise of such character, intensity, and duration as to be detrimental to the life or health of any individual or contrary to the public welfare is prohibited.

2. The following acts by any individual, partnership, or corporation shall be unlawful and in violation of this Local Law:

a) For the purpose of this Local Law, the words person or persons shall include and mean any individuals, partnerships, associations, or corporations whether for profit or otherwise.

b) For any person to make, continue or cause to be made any loud, unnecessary or unusual noise or sound or any noise of such volume or of such a nature as to annoy, disturb, injure or endanger the comfort, repose, health, peace, or safety of others.

c) The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle, except as a warning signal pursuant to the provisions of Section 375(1) of the Vehicle and Traffic Law of the State of New York.

d) For any person to make, continue, cause to be made or assist in making any unnecessary or improper noise or disturbance or operate a motor vehicle or motorcycle in such a manner as to cause excessive squealing or other excessive noise of the tires or motor of said vehicle or motorcycle on the street of the Town of Cohocton.

e) The use of any automobile, motorcycle, streetcar or vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.

f) The discharge into the open air of the exhaust of any steam engine, internal-combustion engine or motor vehicle engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

g) For any person to operate, continue or cause to be operated any bar, tavern, restaurant, hotel, club, or other public or private establishment including private owned dwelling, in such a manner as to cause, permit, or allow any loud unnecessary or unusual noise or sound or any noise to emit or to be emitted from such establishment in such a manner or of such a volume or of such a nature as to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

h) The operation of any radio, phonograph or use of any musical instrument in such a manner or with such a volume so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type residence.

i) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

j) The shouting and crying of peddlers, hawkers and vendors which disturb the peace and quiet of the neighborhood.

k) The use of any drum, loudspeaker or other instrument or device for the purposes of attracting attention to any performance, show or sale or display of merchandise by the creation noise.

l) The use of mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising or other purposes.

m) The creation of any excessive noise on any street, adjacent to any school, institution of learning or court while the same is in session, or adjacent to any hospital, which unreasonably interferes with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

n) The operation of any machinery, equipment, pump, exhaust fan, attic fan, air-conditioning apparatus or similar mechanical device in such a manner as to create any unnecessary and excessive noise.

o) The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.

p) The erection, including excavating, demolition, alteration or repair, of any building other than between 7:00 A.M. and 6:00 P.M. on weekdays, except in a case of urgent necessity in the interest of public safety and then only with a permit from the building inspector, which permit may be renewed for a period of three (3) days or less while the emergency continues.

q) The use of any radio apparatus, talking machine, loudspeaker, or amplifier attached thereto in such a manner that the loudspeaker shall cause the sound from such radio apparatus or talking machine to be projected directly therefrom outside of any building or out-of-doors, or the use of any radio apparatus, talking machine, loudspeaker, or amplifier which in any way fastened to or connected with any outside wall or window. Nothing herein contained shall be construed to prevent the operation of a radio apparatus, talking machine or loudspeaker used in a reasonable manner by any person within any building or structure, provided that the said radio apparatus, talking machine or loudspeaker shall not project the sound therefrom directly outside of any building or out-of-doors.

3. Enforcement of this local law may be initiated by a complaint of one resident of the Town of Cohocton or any Police Officer.

4. Any person committing an offense against any provision of this Local Law shall, upon conviction, be guilty of a violation, punishable by a fine not exceeding \$150.00 or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense for each day (24 hours) shall be deemed a distinct and separate violation.

5. This local law shall take effect immediately.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. .....2..... of 19<sup>89</sup>.....  
of the ~~County~~  
~~City~~ of Cohocton ..... was duly passed by the ..... Town Board  
Town ..... (Name of Legislative Body)  
~~Village~~  
on ..... 19<sup>89</sup> in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, \* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the City of ..... was duly passed by the ..... (Name of Legislative Body)  
Town .....  
Village  
on ..... 19..... and was approved ..... not disapproved  
repassed after disapproval ..... by the ..... Elective Chief Executive Officer \*  
and was deemed duly adopted on ..... 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the City of ..... was duly passed by the ..... (Name of Legislative Body)  
Town .....  
Village  
on ..... 19..... and was approved ..... not disapproved  
repassed after disapproval ..... by the ..... Elective Chief Executive Officer \*  
on ..... 19..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on ..... 19....., in accordance with the appli-  
annual  
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the City of ..... was duly passed by the ..... On  
Town ..... (Name of Legislative Body)  
Village  
..... 19..... and was approved ..... not disapproved  
repassed after disapproval ..... by the ..... on  
..... 19..... Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
..... 19....., in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on ..... of 19 ..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... above.

*Patricia Bidlack*  
~~Clerk of the County Legislature, City, Town or Village Clerk or of local designated by local legislative body~~

Patricia Bidlack

Date: July 11 , 1989

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ..... STEUBEN .....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*John F. Leyden*  
Signature JOHN F. LEYDEN  
ATTORNEY AT LAW  
Title

Date: July 14 , 1989

County  
City of ..... COHOCTON .....