

**AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI,
AMENDING ORDINANCE NO. 210 WHICH ALLOWS FOR AN
EXEMPTION FOR SPECIAL COMMUNITY EVENT NOISE**

WHEREAS, Ordinance 210 established a Special Community Event Permit process which allows an individual or organization to apply for an exemption to the Village of Innsbrook's sound pressure level restrictions (the "Noise Permit"); and,

WHEREAS, in order to promote transparency for the general welfare of the citizens of the Village, the Board of Trustees desire to amend Ordinance 210 to ensure that the promoter(s) and responsible parties for community events are clearly identified for public information; and,

WHEREAS, the Board of Trustees desires to amend Ordinance No. 210 to prohibit special community event noise exemption applicants from using the Village's name in relation to a special community event unless the Village is a sponsor of such event.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, MISSOURI, AS FOLLOWS:

SECTION 1: The Board of Trustees of the Village of Innsbrook hereby amends Ordinance 210 of the Village of Innsbrook, as follows, with language to be added underlined and language to be removed ~~stricken~~:

SECTION 1. The Board of Trustees of the Village of Innsbrook hereby adopts an exemption for special community event noises that occur within the Village of Innsbrook for special community events.

SECTION 2. The ~~"Request for Exemption for Special Community Event Noise"~~ Noise Permit, attached hereto and made a part hereof, shall be submitted to the Board of Trustees of the Village of Innsbrook for review and consideration ~~at their next regularly scheduled Board of Trustees meeting.~~ Applicants seeking a Noise Permit shall submit their request at least 60 days prior to the special community event. The Board of Trustees shall approve, disapprove or place conditions on ~~said request~~ any requested Noise Permit so that the general welfare of the citizens of the Village of Innsbrook is served.

SECTION 3. Whenever this Ordinance, or any rule, regulation, notice or order promulgated by any officer of the Village under authority duly vested in him/her by this Ordinance, any act which is prohibited or is declared to be unlawful or an offense, misdemeanor or ordinance violation or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor or ordinance violation,

upon conviction of a violation of any such provision of this Ordinance, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Every day any violation of this Ordinance shall continue shall constitute a separate offense.

Whenever any act is prohibited by this Ordinance, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding or abetting of another person to do said act. Whenever any act is prohibited by this Ordinance, an attempt to do the act is likewise prohibited.

SECTION 4. At a minimum, the following information shall be required in the request for a Noise Permit:

- a. Date of Request;
- b. The Applicant's name, address, phone number, and email address;
- c. If the Special Community Event is being held by an organization, then that organization's name and address.
- d. If the Special Community Event is being held by an organization, the name of a designated contact for the Special Community Event and their address, phone number, and email address or, if there is no organization, then the name, address, phone number, and email of a responsible party;
- e. The name of the Special Community Event, which includes its location, date(s), and time(s) of occurrence as well as a short narrative;
- f. The dates and times of exemption sought;
- g. The reason for the requested exemption;
- h. A list of all sponsors and promoters of the Special Community Event and the address and phone number for each sponsor and promoter;
- i. The Board of Trustees meeting date the exemption request is to be placed on the agenda; and
- j. An acknowledgement by the applicant that: (1) the application is true and accurate; (2) the use of the name "Village of Innsbrook" will be restricted in relation to the Special Community Event; (3) the Special Community Event will comply with all relevant law; and (4) the applicant can bind the organization and designated contact/responsible party to the terms and conditions of the Noise Permit.

In making its decision, the Board of Trustees can require the Noise Permit applicant to provide additional information which the Board of Trustees believes in its sole and absolute discretion is necessary to approve, disapprove, or place conditions on the requested Noise Permit.

SECTION 5. Any Request for a Noise Permit shall contain an attestation from the applicant that such Special Community Event shall not use the Village of Innsbrook name in any advertisement, promotional material, or other notice, flyer, or brochure, except for limited use within a street address, without the express written consent of the Board of Trustees. Every day this section is violated shall be a separate offense.

~~**SECTION 3.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.~~


~~**SECTION 4.** This Ordinance shall be in full force and effect from and after its passage and approval by the Chairman.~~

SECTION 2: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3: If any provision or clause of this section is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of this section, and clauses of this section are declared to be severable.

SECTION 4: This Ordinance shall take effect and be in full force from and after passage and approval thereof.

Said Bill was passed and approved this 10th day of March, 2021, by the Board of Trustees of the Village of Innsbrook, Missouri after having been read by title, or in full, two times prior to passage.



Jeffrey S. Thomsen, Chairman
Village of Innsbrook Trustees

ATTEST:



Carla Ayala,
Village Administrator/Clerk

(seal)

