

# ORDINANCE NO. 379

## BATTLE GROUND NOISE ORDINANCE

### Article 1. Audible Nuisances.

#### Sec. 1. Unlawful Noise-Prohibited.

It is unlawful for any person to make any noise or permit any noise to be made which disturbs the peace of any other person in public or on any other property. All persons who cause such noise or permit such noise to occur or continue who are in possession of or occupy real property or who operate or occupy a vehicle, from which such noise is emitted, or possess any object, from which such noise is emitted, shall also be in violation of this section.

#### Sec. 2. Unlawful Noise-Detailed.

(a) The following noises are declared an unlawful nuisance:

- (1) Any horn or signal device on any vehicle, other than as a warning or impending danger.
- (2) Any radio or other device for the reproduction or amplification of music or other sound audible as prohibited in Section 1.
- (3) Any musical instruments audible as prohibited in Section 1.
- (4) Any yelling, shouting or other similar loud noises audible as prohibited in Section 1.
- (5) Any noise from construction or the operation of machinery between the hours of 9:00 p.m. through 7:00 a.m. audible as prohibited in Section 1.
- (6) Any excessive or unusual noise from a motor vehicle resulting from the failure to use a proper muffler or to keep the motor vehicle in proper repair or from the use of exhaust brake; and
- (7) Any other excessive or unusual noise as prohibited by Section 1.

(b) This section does not apply to any sporting event or other program or assembly sponsored by any unit of government.

(c) The Town Board of Trustees upon application may permit activities creating otherwise unlawful noise.

#### Sec. 3. Penalties

Violation of Section 1 shall be punishable by a fine of not less than \$25 for the first violation, not less than \$50 for the second violation, and not less than \$100 for any subsequent violation. All fines assessed to be payable to Ordinance Violations Bureau. PASSED ON FIRST READING THE 1ST DAY OF MAY, 2000. PASSED ON SECOND AND FINAL READING THE 5TH DAY OF JUNE, 2000.

Town Board

Clerk/Treasurer

Mildred Marie McCoy

Town Board Member

Town Board Member

Town Board President

Richard Berghoff

Town Board Member

J B Miller

Town Board Member