

2nd read 10/12/98

ORDINANCE #1998 -11

ORDINANCE REGARDING DISTURBING OF THE PEACE

WHEREAS, the Village of Hamersville has no ordinance regulating disturbing the peace; and,

WHEREAS, the Village of Hamersville feels it is necessary to pass an ordinance addressing excess noise disturbing the peace.

WHEREFORE, BE IT ORDAINED that no person shall:

(a) Construction; Permit. Create, construct, alter, repair or demolish any building other than between the hours of 6:00 a.m. and 9:00 p.m.; except in case of urgent necessity in the interest of public safety and then only with a permit from the Mayor. Nothing herein shall be construed to affect the usual and reasonable operation of firms or corporations or to prohibit the reasonable and ordinary noises attendant to such operations in those areas properly zoned for this purpose.

(b) Loading and Unloading. Make loud and excessive noise in connection with loading or unloading any vehicle or the opening and/or destruction of bales, boxes, crates and containers. Nothing herein shall be construed to affect the usual and reasonable operation of firms or corporations or to prohibit the reasonable and ordinary noises attendant to such operations in those areas properly zoned for this purpose.

(c) Loud Speakers; Permit. Use mechanical loudspeakers or other sound amplifiers or vehicles outside of a building or through an open door or window after 8:00 p.m. unless a permit is granted for such use by the Police Department, and then only in accordance with the provisions of such permit. Nothing herein shall be construed to affect the usual and reasonable operation of firms or corporations or to prohibit the reasonable and ordinary noises attendant to such operations in those areas properly zoned for this purpose.

(d) Promotional Sound or Music Producing Devices; Permit. Use any musical or other instrument or device capable of reproducing sound for the purpose of commercial advertising or attracting the attentions of the public to any performance, show, sale or display of merchandise after 8:00 p.m. unless a permit is granted for such use by the Police Department and then only in accordance with the provisions of such permit.

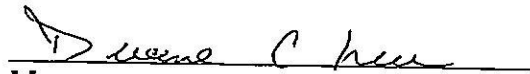
(e) Musical Instruments, Radios, Etc. Operate, cause or permit to be operated any musical instrument, radio, phonograph, television set or any other instrument or device capable of producing noise in such a manner or with such volume as to annoy or disturb the peace, quiet, comfort or repose of the neighborhood inhabitants, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time with louder volume than is necessary for convenient hearing for the voluntary listeners thereto who are in the room or place in which such instrument or device is being operated.

(f) Pools. Make, continue or cause to be made or continued at any swimming pool any loud, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others between the hours of 11:00 p.m. and 7:00 a.m.

(g) Misdemeanor Classification. Whoever violates this section is guilty of a misdemeanor of the fourth degree.

This ordinance shall be effective at the earliest time permitted by law.

DATED: 11/9/98


Mayor

ATTEST:

Clerk