

Village of Crooksville, Ohio

ORDINANCE NO. 2340.

**ORDINANCE PROHIBITING EXCESIVE NOISE AND SOUNDS THAT
DISTURB AND ANNOY THE PEACE**

Whereas, the Council of the Village of Crooksville desires to reduce the emission of noises and sounds below such a level that said noises and sounds do not disturb or annoy persons of ordinary and normal sensitivity.

NOW THEREFORE BE IT, AND IT IS HEREBY ORDAINED by the Village Council of the Village of Crooksville, Perry County, State of Ohio, that:

Section One. Disturbance of the Peace.

- a. No person shall make or permit to be made, upon any premises or upon any street, alley, sidewalk or public thoroughfare, any noise or sound at a level which is disturbing or annoying to persons of ordinary and normal sensitivity, including but not limited to the following specific prohibitions:
- (1) The use or operation of radios, tape players, compact disc players, or other music or sound generating devices in or upon any motor vehicle shall not be at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section of the sound or noise from such device is plainly audible at a distance of twenty-five feet from said motor vehicle.
 - (2) The use or operation of radios, tape players, compact disc players, televisions or musical instruments upon any premises or upon any street, alley, sidewalk or public thoroughfare shall not be at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section if the sound or noise from such device is plainly audible at a distance of fifty feet from the property line of said premises or fifty feet from the edge line of said street, alley, sidewalk or public thoroughfare.
 - (3) Sound or noise from animals upon any premises or upon any street, alley, sidewalk, or public thoroughfare shall not persist for a period of time in excess of five minutes at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section if the sound or noise from said animal is plainly audible at a distance of twenty-five feet from the edge line of said street, alley, sidewalk or public thoroughfare.

- (4) Yelling, screaming, shouting, hooting, hollering, whistling or singing upon any premises or upon any street, alley, sidewalk or public thoroughfare between the hours of 11:00pm and 7:00am, shall not be at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section if the sound or noise from said yelling, screaming, shouting, hooting, hollering, whistling or singing is plainly audible at a distance of twenty-five feet from the property line of said premises or twenty-five feet from the edge line of said street, alley, sidewalk or public thoroughfare.
- (5) Sound or noise from the erection, excavation, demolition, alteration or repair of any building or structure, between the hours of 9:00pm and 7:00am, shall not be at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section if the sound or noise from said erection, excavation, demolition, alteration or repair of any building or structure is plainly audible at a distance of twenty-five feet away.
- (6) Sound or noise from any home, car or other alarm system shall not persist for a period of time in excess of ten minutes at a level which disturbs or annoys persons of ordinary and normal sensitivities. It shall be prima facie evidence of a violation of this section if the sound or noise from any said alarm system is plainly audible at a distance of fifty feet from the alarm system.

b. This section shall not apply in the following situations:

- (1) To any public celebration, public parade, public event or public activity authorized or permitted by the Mayor, Village Council, and/or Village Administrator;
- (2) To any sporting event or activity conducted under the direction and supervision of any public or private school;
- (3) To any musical performance at an outdoor venue, including a patio, so long as the musical performance ends before 10:00pm on all days except for Fridays and Saturdays, when it shall end before 1:00am; or
- (4) To any governmental agency engaged in the performance of necessary governmental functions.

c. Whoever violates this section is guilty of a minor misdemeanor.

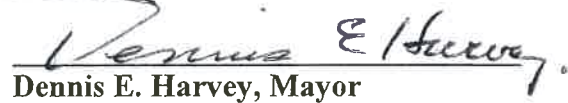
d. The Mayor is hereby authorized to create an application form and a permit that the Mayor or Village Administrator or Village Council may issue as provided for in subsection (b) above. Permits shall be issued if the Mayor or Village

Administrator or Village Council is satisfied that the applicant has made or is willing to make reasonable efforts to attempt to limit the noise or sound to a reasonable level considering the particular circumstances involved. The Mayor or Village Administrator or Village Council may refuse to issue a permit if in his/her/its opinion the applicant is not willing to make reasonable efforts to attempt to limit the sound or noise to a reasonable level considering the circumstances involved, or if the applicant has previously refused to cooperate with the Village or has a history of violating the Noise Ordinance. The Mayor or Village Administrator or Village Council may also revoke any permit issued if the Mayor or Village Administrator or Village Council becomes aware of information that would have justified the refusal to grant the permit initially, if the permit holder fails to follow the time restrictions set forth in subsection (b), or if the permit holder refuses to take any additional reasonable steps necessary to alleviate any complaints which may have arisen since the granting of the permit.

Section Two. Effective Date: This ordinance shall take effect at the earliest date allowed by law.

1st Reading: 6/5/06
2nd Reading: 7/17/06
3rd Reading: 11/6/06

Passed: 11/6/06.


Dennis E. Harvey, Mayor

ATTESTED:


Kathy Campbell, Clerk/Treasurer

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 8th day of November, 2006.


Kathy Campbell, Clerk/Treasurer