

CHAPTER 38 NOISE CONTROL

- 38.1 PURPOSE.** It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the Village of Vermontville limits.
- 38.2 PROHIBITED NOISES.** Each of the following are prohibited, but this enumeration shall not be deemed exclusive:
- A. Animal and bird noises: the keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person.
 - B. Construction noises: the erection, including excavating, demolition, alteration or repair of any building, and the excavation of streets and highways, on Sundays and other days, except during daylight hours, unless a special permit is first obtained from the Village Council.
 - C. Engine exhausts: the discharge of any stationary internal combustion engine or motor vehicle into the open air except through a muffler or other device which effectively prevents loud or explosive noises there from.
 - D. Horns and signal devices: the sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as when reasonably applied as a danger signal if another vehicle is approaching, apparently out of control or to give warning of intent to go into motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended.
 - E. Radio and musical instruments: the playing of any radio, television set, phonograph, boom box, CD player, or any musical instrument in such a manner, place, time or with such volume so as to annoy or disturb the quiet, comfort or repose of any person in the vicinity, except as by special permit from the council.
 - F. Shouting and whistling: yelling, shouting, hooting, whistling or signaling or the making of any loud noise between the hours of 11:00 p.m. and 7:00 a.m., so as to annoy or disturb the quiet, comfort or repose of any persons in the vicinity.
- 38.3 CONTINUAL EXCEPTIONS.** None of the terms of prohibitions of Section 38.2 shall apply to:
- A. Any police or fire vehicle or any emergency ambulance, while engaged in an emergency.
 - B. Excavations or repairs of bridges, water or sanitary sewer systems by or on behalf of the village, county, or state during the night, when the public safety, welfare, and convenience renders it impossible to perform such work during the day.
- 38.4 TEMPORARY EXCEPTIONS.** The council may issue a special permit exempting an individual or group from the above sanctions on a temporary basis, if a majority of said council finds the issuance of such temporary noise permit to be in the best interest of the public health, safety, welfare or for the public good.

38.5 PENALTIES. Any person who shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the Village of Vermontville shall be upon conviction be guilty of a misdemeanor, and be subject to a fine of not less than \$10.00 nor more than \$100.00 together with the costs of prosecution thereof or by imprisonment in the County Jail for a period not to exceed 90 days or both such fine and imprisonment at the discretion of the Court.

Revised6-9-05/RevisionE