

Ordinance 2021-0003

An Act to adopt Ordinance 2021-0003 Pertaining to Loud Noises and to Repeal Existing Ordinance 16 pertaining to control Music and Noise emanating from Vehicles Adopted on 8/2/1993

Section 1.

Loud noises prohibited.

It shall be unlawful, within the limits of the Town, for any person to make, create or continue or cause to be made, created or continued any loud, unnecessary or unusual noise which either annoys, disturbs or injures a reasonable person or persons of normal sensitivities or endangers the comfort, repose, health, peace, safety or welfare of the public within the limits of Town.

Section 2.

Specific acts prohibited.

While the same shall not be exclusive, the following acts, among others, are declared to be loud, unnecessary or unusual noises which are annoying, disturbing or dangerous to the public comfort, repose, health, peace, safety or welfare of the public within the limits of the Town, in violation of this Ordinance, namely:

(a) Using, operating or playing or causing to be used, operated or played any radio, television, tape player, stereo system, compact disc player, musical instrument or other machine, instrument or device for producing, reproducing or amplifying sound in such a manner as to disturb the peace, quiet, comfort or health

of any reasonable persons or person of normal sensitivities or so as to adversely affect the general welfare of such person or persons or in such a manner that the volume of sound therefrom is louder than reasonably necessary for convenient hearing by the person or persons who are in the room, vehicle or chamber in which such machine, instrument or device is being operated and who are voluntary listeners thereto.

(b) The operation of such machine, instrument or device in such a manner as to be plainly audible or unreasonably loud to a reasonable person or persons of normal sensitivities at a distance greater than 25 feet from the property line of where the machine, instrument or device is being operated if located inside/outside a building, structure or other enclosed structure, or at a distance of greater than 25 feet from any vehicle in which said machine, instrument or device is located, upon the streets of the Town of Frankford shall be prima facie evidence of the violation of this ordinance.

(c) With the exception of a violation of the above, any violation occurring from a motor vehicle on the streets of the Town of Frankford shall be considered a motor vehicle violation and shall be written on the Uniform Traffic Complaint and Summons/Voluntary Assessment. All other violations shall be handled as a criminal violation and be handled either by a criminal summons or warrant.

Section 3. Violations and penalties.

Any person violating any provision of this ordinance, upon conviction thereof, shall be subject to a fine of not to exceed \$100.00, plus court costs and Victim's Compensation Fund assessment, for each offense. In the event of a continuing violation of any of the provisions of this chapter by any person, each day or part of a day during which any such violation continues shall constitute a separate and distinct offense under this chapter.

Section 4. Repeal

The adoption of ordinance 2021-0003 hereby Repeals and replaces Ordinance 16 An Ordinance for Control of Music and Noise Emanating from Vehicles adopted 8/2/1993.

Section 5. This ordinance shall become effective upon its adoption by the majority of all elected members of council.

Adopted by Frankford Town Council this ____ day of _____, 2021

Frankford Town Council President

Attested to by _____