



ORIGINAL

Ordinance 19- 7

An Ordinance to Establish Regulations for Noise Control

WHEREAS, the Town of Dayton, Indiana has determined it is necessary to provide regulations for noise control within the Town of Dayton

NOW THEREOFRE BE IT ORDAINED THAT:

Title IX: General Regulations is amended to add:

“Chapter 97. Noise Ordinance”

97.01 Prohibited Acts

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.

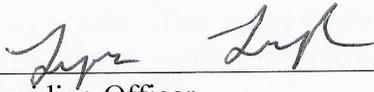
- (1) There is a presumption that any noise which is audible to a person on nearby property or premises or on public property more than 50 feet from the source disturbs the peace of another if it is clearly audible to such a person during the hours of **11:00 P.M. and 7:00 A.M.**
- (2) This section does not apply to any sporting event or other program or assembly sponsored by any unit of government.
- (3) The police department may permit activities creating otherwise unlawful noise upon determination that the activity is in the public welfare and cannot otherwise be done.
- (4) The following noises are declared an unlawful nuisance:
  - a. Any horn or signal device on any vehicle, other than as a warning of impending danger;
  - b. Any radio or other device for the reproduction of amplification of music or the sound audible as prohibited in this section;
  - c. Any musical instruments audible as prohibited in this section;
  - d. Any yelling, shouting or other similar loud noises audible as prohibited in this section;
  - e. Any noise from construction or the operation of machinery between the hours of **9:00 P.M. and 7:00 A.M.** This to include power tools such as circular saws, power washers, chain saws, and lawn mowers etc.;
  - f. 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
  - g. Any other excessive or unusual noise as prohibited in this section.

A collection of handwritten signatures and initials in black ink, including a large signature that appears to be 'D. H. S.', and other initials like 'RC' and 'TT'.

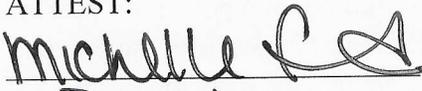
97.02 Penalty

The fine imposed for violation of this chapter shall be \$25.00 for the first violation; \$50.00 for the second notice of violation within 30 days of the initial notice of violation, and \$100.00 for the third notice of violation within 30 days of the initial notice of violation.

ADOPTED AND PASSED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA THIS 8 DAY OF July, 2019.

  
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Presiding Officer

ATTEST:

  
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Dayton, Clerk-Treasurer