

VILLAGE OF OTTER LAKE

NOISE CONTROL

ORDINANCE NUMBER 20

An ordinance to regulate excessive noise which would create a nuisance or disturb the public peace within the Village and to provide penalties for the violation thereof.

THE VILLAGE OF OTTER LAKE ORDAINS:

Section 1. GENERAL. No person shall at any time cause a noise to be created which by its loud or continuous nature is a nuisance to persons occupying nearby properties and which continues for a period in excess of 15 minutes.

Section 2. MOTOR VEHICLES. No motor vehicles, including motorcycles, which create excessive noise shall be operated upon the public or private roads within the Village. For purposes of this section, the term "excessive noise" shall be deemed to mean noise louder than that which would be created if the motor vehicle was equipped with an original equipment muffler system in good working order.

Section 3. OFF-ROAD VEHICLES. No trail bike, snowmobile, or other vehicle which is not licensed for use upon the public roads shall be operated within the Village unless it is equipped with a muffler which effectively prevents loud noises there from.

Section 4. NIGHT DISTURBANCES. No excessive noise shall be made on any private property within the Village between the hours of 10:00 p.m. and 7:00 a.m. This section shall include noises created by phonographs, radios, stereo equipment, musical instruments, loud parties, etc. For purposes of this section, the "excessive noise" shall be deemed to mean any noise which is audible beyond the property lines of the property on which the noise originates and which is audible beyond such property lines at a level louder than the noise caused by ordinary conversation.

Section 5. WAIVER. Permission to waive the provisions of this ordinance may be granted by the Police Chief for specific events.

Section 6. PENALTY. Any person who shall violate a provision of this ordinance shall be guilty of a misdemeanor which shall be punishable by a fine of not more than \$500.00 or by imprisonment in the county jail for not more than ninety days, or by both fine and imprisonment.

Section 7. SEVERABILITY. This ordinance and the various sections and provisions thereof are hereby declared to be severable. If any section or provision is adjudged unconstitutional or invalid, the same shall not affect the validity of the remainder of the ordinance.

Section 8. EFFECTIVE DATE. This ordinance shall take effect twenty days from the date of adoption specified below.

The undersigned President and Clerk of the Village of Otter Lake hereby certify that this Ordinance was duly adopted by the Village Council at a meeting held on the 20th day of May, 1985 and was published in the Lakeville Aerial on the 28th day of May, 1985.

LeRay Vanburg

LeRay VanAmburg, President

Nancy L. VanAmburg

Nancy L. VanAmburg, Clerk