

ORDINANCE 2012-10

**AN ORDINANCE TO ESTABLISH A NOISE CONTROL POLICY FOR THE
TOWN OF STINESVILLE**

BE IT ORDAINED AND ADOPTED BY THE TOWN COUNCIL OF
STINESVILLE, INDIANA AS FOLLOWS:

SECTION 1. It is declared the public policy of the town to prohibit unreasonable, unusual, unnecessary, excessive and offensive noises which are prolonged in their time, place and use and which are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the town.

SECTION 2. For purposes of this ordinance, "unreasonable noise" shall mean sound that is of a volume, frequency, or pattern that disrupts, injures, or endangers the health, safety, or comfort of reasonable persons of ordinary sensitivities with the town, given the time of day or environment in which the sound is made.

SECTION 3. Except as otherwise provided, it shall be unlawful for any person to make, continue, or cause to be made or continued, any unreasonable, unusual, unnecessary, excessive or offensive noise in or on any real property or personal property occupied or controlled by that person.

SECTION 4. Unlawful noises. Acts which are declared to be unreasonable, unusual, unnecessary, excessive or offensive include, but are not limited to:

- A). The unnecessary sounding of horns or signal devices on motor vehicles for an unreasonable period of time;
- B). The using, operating, or permitting to be played, used, or operated, any radio, television, digital media player, loudspeaker, musical instrument, or other device for the producing or reproducing of sound in a manner so as to disturb the peace and quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for the convenient hearing for the person or persons who are in the room in which the device is being operated or that persists continuously or intermittently for a period of at least fifteen minutes and can be heard outside the immediate premises from the location of the emitter by a person with normal hearing. Sound that is clearly audible to a person with normal hearing from any place other than the premises from which the source of the sound is located when the sound occurs between the hours of 11:00 p.m. and 6:00 a.m. is prima facie evidence of a violation of this section.

- C). The use of sound trucks, loudspeakers, amplifiers or other instruments or devices for the purpose of making noise to attract attention to any performance, show, or sale or display of merchandise without the specified approval of the Town Council prior to that use

SECTION 5. The designated quiet time for the town shall be set between 11:00 p.m. and 6:00 a.m.

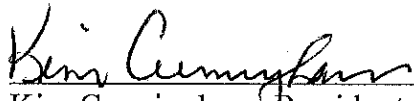
SECTION 6. Exemptions. The following are exempt from this ordinance:

- A). Noise that is the result of parades, school functions, sports, or band functions, or similar functions, is exempt from this ordinance.
- B). Public or community events which receive prior approval from the Town Council, can be exempted from this ordinance.

SECTION 7. Any person who violates this ordinance shall be fined twenty five dollars (\$25.00) for each violation. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

This ordinance takes effect at 12:01 a.m. on the third day following its final publication according to the procedures specified by Indiana Code 5-3-1. This Ordinance was passed and adopted by the Stinesville Town Council on the 5th day of Feb, 2013.

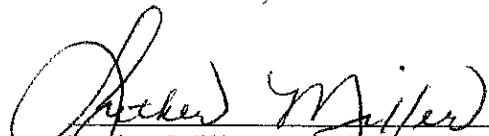
Stinesville Town Council



Kim Cunningham, President



Andrea Asher, Vice President



Luther Miller, Member

ATTEST:

Lois Pursell
Lois Pursell, Town Clerk/Treasurer

This ordinance was published in the Ellettsville Journal on the 20th day of
February, 2013.

Lois Pursell
Lois Pursell, Town Clerk/Treasurer