

**ORDINANCE NO. 2023-16
INTRODUCED BY COUNCIL**

**AN ORDINANCE PROHIBITING DISTURBING THE PEACE
AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Jacksonville is responsible for preserving the health, welfare, and safety of all residents of the Village; and

WHEREAS, the Village of Jacksonville desires to prevent disturbing the peace by prohibiting excessive noise

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JACKSONVILLE, ATHENS COUNTY, OHIO AS FOLLOWS:

SECTION 1: No person shall recklessly cause inconvenience, annoyance or alarm to another, by creating or causing the creation of noise, permit or allow the creation of noise, so as to disturb or disrupt the peace and quiet of any reasonable person of normal sensitivity, including, but not limited to the following:

- A. The emission of sound in such a manner as to be plainly audible at a distance 50 feet from the property line of a parcel on which the sound is emanating from a building, structure, vehicle, equipment, machinery, animal or fowl; or on a street, highway, or in the public right-of-way where the sound is audible 50 feet from the device generating the sound.
- B. Exemptions to division A. include the following:
 1. Sound emanating from scheduled events conducted, sponsored or permitted by the Village or schools;
 2. Construction operations occurring between the hours of 7:00 a.m. and 9:00 p.m., provided that all equipment is operated in accordance with the manufacturer's specifications and/or with all standard manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition;
 3. Construction operations conducted by the village as approved by Village Council;
 4. The loading and/or unloading of commercial waste receptacles between the hours of 7:00 a.m. and 9:00 p.m. within 500 yards of any residentially zoned property;
 5. Noise of safety signals, warning devices, emergency pressure relief valves, and church bells;

6. Noise resulting from any authorized emergency vehicle or emergency notification system;
 7. Lawn mowers and other similar motorized landscaping equipment used when operated with all the manufacturer's standard muffler and/or sound reducing equipment in use and in proper operating condition; and
 8. Emergency work as authorized by the Village.
- C. In determining whether a noise is of such character to violate the elements herein with regard to unreasonably disturbing the peace and quiet of the community, the following shall be considered:
1. Complaints of neighbors regarding the referenced noise;
 2. The time of day during which the noise is occurring or has occurred;
 3. The intensity and duration of the noise;
 4. The type of noise emanating; and
 5. What, if any alternatives are available without excessive noise.
- D. Failure to comply with this section shall be punishable in accordance with this section. In the event that any person is found guilty of the violation of this Ordinance or any section thereof, they shall be deemed guilty of a misdemeanor of the fourth degree, subject to up to thirty (30) days in a jail and up to a \$250 fine.

SECTION 2. EMERGENCY MEASURE

This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and safety of the Village and its inhabitants and shall become effective immediately upon passage.

Passed on First Reading:



Council President

APPROVED:

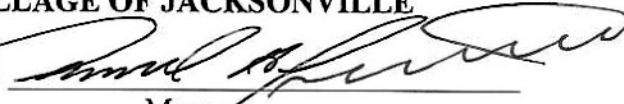


Mayor

Duly enacted by under suspension of the rules this 30th day of March, 2023.

VILLAGE OF JACKSONVILLE

ATTEST/SEAL:

By: 
Mayor


Fiscal Officer

By: 
President of Council

CERTIFICATION

I, Heather Rockwell, Fiscal Officer for the Village of Jacksonville, Athens County, Ohio, certify that the foregoing is a true and correct copy of the Ordinance adopted by the Village Council of the Village of Jacksonville, and appears in the Village records as Ordinance 2023-16.

The foregoing is a true copy of the original Ordinance No. 2023-16. Publication of this Ordinance was made by posting a copy of the same in the following five locations within the Village beginning on March 30, 2023, and concluding on _____, 2023 (at least 15 days later):

Jacksonville Post Office
VFW Jacksonville
Corner Pizza & Deli

Eagles Club Jacksonville
Jacksonville Municipal Building

ATTEST: DATE: 3/30/23

FISCAL OFFICER: 