

VILLAGE OF MT. AUBURN

ORDINANCE NO. 28

AN ORDINANCE ADDING ARTICLE IV - NOISE DISTURBANCES
TO CHAPTER 10 OF THE VILLAGE CODE OF MT. AUBURN

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS _____ DAY OF _____, 1991

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS
THIS _____ DAY OF _____, 1991

VILLAGE OF MT. AUBURN

ORDINANCE NO. _____

AN ORDINANCE ADDING ARTICLE IV - NOISE DISTURBANCES
TO CHAPTER 10 OF THE VILLAGE CODE OF MT. AUBURN

BE IT HEREBY ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, AS FOLLOWS:

Section 1. A new ARTICLE IV - NOISE DISTURBANCES is hereby added to Chapter 10 of the Village Code of Mt. Auburn which shall read as follows:

CHAPTER 10
ARTICLE IV - NOISE DISTURBANCES

Sections:

- 4-4-1 Definitions.
- 4-4-2 Prohibited activities.
- 4-4-3 Exceptions.
- 4-4-4 Violation--Penalty.

4-4-1 Definitions. As used in this chapter:

- A. "Noise Disturbance" means any sound of shouting, yelling or singing which unreasonably annoys or disturbs a reasonable person of normal sensitivities.
- B. "Person" means any individual, association, partnership, entity, trustee or corporation.
- C. "Real property boundary" means the property line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person.

4-4-2 Prohibited activities. It is unlawful to shout, or yell, or sing, or to play, use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph, tape player, television receiving set, loudspeaker, sound amplifier, microphone or other machine or device for the production or reproduction of sound in such a manner as to create a noise disturbance across a residential real property boundary.

4-4-3 Exceptions. The provisions of this ARTICLE IV shall not apply to the following.

- A. The emission of sound for the purpose of alerting persons to the existence of an emergency, or for the performance of emergency work;

B. Organized school-related programs, activities or events, or parades or other public programs, activities, or events authorized by the village president and board of trustees or his or their designated representative, including but not limited to the Annual Mt. Auburn Picnic.

4-4-4 Violation--Penalty. Any person violating any provision of this ARTICLE IV shall be fined not less than fifty dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 2. If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, the Ordinance was passed, approved and adopted this _____ day of _____, 1991.

BRUCE HOHENSTEIN, President
Village of Mt. Auburn, Illinois

ATTEST:

BRENDA COPENBARGER, Village Clerk

(Corporate Seal)

AYES: _____

NAYS: _____

ABSENT: _____

FILED IN THE OFFICE OF THE VILLAGE CLERK, VILLAGE OF
MT. AUBURN, ILLINOIS, ON THE _____ DAY OF _____,
1991.

PUBLISHED IN PAMPHLET FORM ON THE _____ DAY OF
_____, 1991

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, BRENDA COPENBARGER, certify that I am the duly elected
and acting Village Clerk of the Village of Mt. Auburn, Christian
County, Illinois.

I further certify that on March 4, 1991, the Board of
Trustees of said Village passed and approved Ordinance No. _____
entitled "An Ordinance adding Article IV - Noise Disturbances to
Chapter 10 of the Village Code of Mt. Auburn" which provided by
its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____, including the
Ordinance and a cover sheet thereof was prepared, and a copy of
such Ordinance was posted in the Village Hall, commencing on
_____, 1991, and continuing for at least ten days
thereafter. Copies of such Ordinance were also available for
public inspection upon request in the Office of the Village
Clerk.

DATED at Mt. Auburn, Illinois, this _____ day of
_____, 1991.

BRENDA COPENBARGER, Village Clerk

(SEAL)