

AN ORDINANCE PROHIBITING CERTAIN NOISES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, as follows:

SECTION 1. It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the City.

SECTION 2. Noises Prohibited --- Unnecessary Noise Standard. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this Ordinance, but said enumeration shall not be deemed to be exclusive, namely:

(a) Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up.

(b) Radios, Phonographs, etc. The using, operating, or permitting to be played, used or operated any radio or television receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound, in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of twelve (12) o'clock midnight and seven (7) o'clock a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(c) Loud Speakers, Amplifiers for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(d) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of twelve (12) o'clock midnight and seven (7) o'clock a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other types of residence, or of any person in the vicinity.

(e) Construction or Repairing of Buildings. The erection (including excavation), demolition, alteration or repair of any building other than between the hours of six (6) o'clock a.m. and Sunset on week days or Saturday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Mayor, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. If the Mayor should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant written permission for such work to be done upon application being made at the time the permit for the work is awarded or during the progress of the work. The prohibition contained in this subsection shall not apply to minor erection, demolition, alteration or repair which work can be completed within a period of one (1) hour.

(f) Schools and Churches. The creation of any excessive noise on any street adjacent to any school, institution of learning, or church while the same are in use, which unreasonably interferes with the workings of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school or church street.

(g) Pile Drivers, Hammers, etc. The operation between the hours of ten (10) o'clock p.m. and seven (7) o'clock a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other appliance, the use of which is attended by loud or unusual noise.

SECTION 3. This Ordinance supersedes all earlier ordinances with which it is in conflict.

SECTION 4. Any person who violates any provision of this Ordinance shall upon conviction be fined not less than \$25.00 nor more than \$500.00. Each hour during which a violation occurs shall be deemed a separate and distinct offense.

SECTION 5. This Ordinance shall take effect immediately upon its passage and publication according to law.

AYES: 5

NAYS: 0

APPROVED: *Ed Runkle*  
Mayor

ATTEST: *Mary Jean Scheller*  
City Clerk

STATE OF ILLINOIS        )  
                                  )    ss  
COUNTY OF MONTGOMERY )

I, Mary Jean Scheller, do hereby certify that I am the duly appointed and now acting City Clerk of the City of Nokomis, Illinois; that I have caused Ordinance No. 709, which was duly passed by the City Council of the City of Nokomis, Illinois, at a regular meeting thereof, held on the 23<sup>rd</sup> day of June, 1980, and was approved by the Mayor of said City on the said date, to be published in the Free Press Progress, a newspaper of general circulation in the City of Nokomis, on the 26<sup>th</sup> day of June, 1980.

Given under my hand and official seal this 23<sup>rd</sup> day of June, A.D. 1980.

*Mary Jean Scheller*  
City Clerk