ORDINANCE PROHIBITING UNNECESSARY NOISE

The Town of Island Falls hereby ordains that an ordinance entitled "Ordinance Prohibiting Unnecessary Noise" be hereby adopted as follows:

Section 1. It is found and declared that:

(a) The making and creation of loud, unnecessary or unusual noises within the limits of the Town of Island Falls is a condition which has existed for some time and the extent and volume of such noises is increasing;

(b) The making, creation or maintenance of such loud unnecessary, unnatural or unusual noises which are prolonged, unusual and unnatural in their time, place and use affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the Town of Island Falls; and

(c) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Town of Island Falls and its inhabitants.

Section 2. It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, or injures or endangers the comfort, repose, health, peace, or safety of others, within the limits of the town.

Section 3. The following noises and noise producing 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:

(1) Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle anywhere within the limits of the Town, 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 operate
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.

(2) Radios, Phonographs, Musical Instrument, etc. The using, op-
erating or permitting to be played, used or operated any radio,
receiving set, musical instrument, phonograph, or other machine
or device for the producing, reproducing or amplifying of sound
in such manner as to disturb the peace, quiet and comfort of
the neighboring inhabitants. The using, operating or permitting
to be played, used or operated any radio, receiving set, musical
instrument, phonograph, or other machine or device for the pro-
ducing or reproducing or amplifying of sound within a building
structure or vehicle between the hours of 10 o'clock p.m. and
7 o'clock a.m. in such a manner that, at a distance of 25
feet from the building structure or vehicle in which it is
located, it produces a sound which by its volume, frequency,
intensity, quality or duration endangers or injures the safety
or health of humans or unreasonably annoys or disturbs a reason-
ble person's normal sensibilities or endangers or injures personal
or real property, shall be prima facie evidence of a violation
of this section.

(3) Loud Speakers, Musical Amplifiers, Amplifiers-Bells-Horns for
Advertising. The using, operating or permitting to be played,
used or operated of any radio, receiving set, musical instru-
ment, musical amplifier, phonograph, loud speaker, sound ampli-
fier, bells, horns, or other machine or device for the producing
or reproducing of sound which is cast upon the public street for
the purpose of commercial advertising or attracting of the
public to any building or structure.

(4) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling,
or singing on the public street, particularly between the hours
of 9 o'clock p.m. and 7 o'clock a.m. or at any time or place
so as to annoy or disturb the quiet, comfort, or repose of any person in any office, or in any dwelling, hotel, motel, rooming house or other type of residence, or of any person in the vicinity.

(5) *Animals, Birds, etc.* The keeping of any animal or bird which by causing frequent or long continued noise without provocation shall disturb the comfort or repose of any person in the vicinity.

Section 4. Penalties. Any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding $1000.00 or by imprisonment for not more than thirty (30) days, or by both said fine and said imprisonment.

Section 5. Additional Remedy. Injunction. Any violation of this ordinance or any provision thereof, shall be deemed a public nuisance and may be subject to abatement by a restraining order of injunction issued by a court of competent jurisdiction.

Section 6. Separability. It is the intention that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Adopted 1979 Aug. 20th

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