

**ORDINANCE 10-04**

**AN ORDINANCE TO PROHIBIT "DISTURBING THE GENERAL PEACE" WITHIN THE VILLAGE OF JACKSON CENTER AND DECLARING AN EMERGENCY.**

**WHEREAS**, Unwanted noise and other nuisances in the Village of Jackson Center represents a potential threat to the health, safety and general welfare of Jackson Center residents, and;

**WHEREAS**, the Village of Jackson Center deems it appropriate to establish an ordinance regulating the noise within certain hours to preserve the public peace of all residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JACKSON CENTER, STATE OF OHIO:**

**SECTION 1.**

That no person shall make, continue or cause to be made or continue any loud, unnecessary, unreasonable, or unusual noise which is reasonably likely to annoy, disturb, injure, or endanger the comfort, quiet, repose, health, peace or safety of others within the municipal limits. A volume which is plainly audible to persons other than those who are in the room or other immediate location in which such device or instrument is played and who are not voluntary listeners thereof shall constitute prima facie evidence of such disturbance. This section shall not apply to organized events or festivals which are held within the municipal corporation limits which have received prior approval from the Police Chief and/or Village Administrator.

**SECTION 2.**

No person shall yell, shout, hoot, or make or cause to be made or continue any loud, unnecessary, or unusual noise; including noise or music emitting from a motor vehicle, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy, disturb, injure, or endanger the comfort, quiet, repose, health, peace or safety of others within the municipal limits. A volume which is plainly audible to persons other than those who are in the room or immediate location in which such sound is made and who are not voluntary listeners thereof, shall constitute prima facie evidence of such disturbance. This section shall not apply to organized events or festivals which are held within the municipal corporation limits which have received prior approval from the Police Chief and/or Village Administrator.

**SECTION 3.**

No owner or harbor of any animal shall allow such animal to cause a disturbance to the public peace, by means of barking or other unwanted noises, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy, disturb, injure, or endanger the comfort, quiet, repose, health, peace or safety of others within the municipal limits.

**SECTION 4.**

Whoever violates the above section is guilty of a minor misdemeanor. Whoever violates the above section for a second time within a period of one year is guilty of a misdemeanor of the fourth degree. Whoever violates the above section for a third time or any additional occasions within a period of one year is guilty of a misdemeanor of the third degree.

**SECTION 5.**

Any and all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

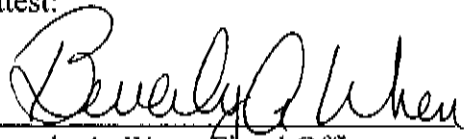
**SECTION 6.**

Council hereby declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare; such an emergency arising out of the need to provide regulations for unwanted noise and other nuisances. Wherefore, this Ordinance shall take effect and be in full force from and after its adoption by Council and approval by the Mayor.

Adopted this 8<sup>th</sup> day of March, 2010.

  
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Scott Klopferstein, Mayor

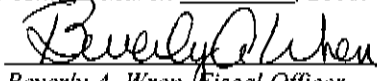
Attest:

  
\_\_\_\_\_  
Beverly A. Wren, Fiscal Officer

**CERTIFICATE OF FISCAL OFFICER AS TO POSTING**

*I certify that the above Ordinance 10-04 has been posted as required by law. Posted in the Village Office, U S Bank NA, Allenbaugh Insurance, Phil's Cardinal and the Jackson Center Library.*

Date of Posting: March 9, 2010.

Signed:   
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Beverly A. Wren, Fiscal Officer