

ORDINANCE NO. 4 - 78

AN ORDINANCE TO AMEND SECTION 133.01(A)
(2) (DISTURBING THE PEACE) OF THE CODE
OF ORDINANCES OF THE VILLAGE OF SPENCER,
OHIO AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the Village
of Spencer, Ohio, three - fourths of its members concurring
herein, as follows:

1. Section 133.01 (A) (2) (Disturbing the
Peace) is hereby amended to read as follows:

(2) Making unreasonable noise which is defined
as any noise which gives offense to the senses,
or violates the laws of decency, or interferes
with the reasonable and comfortable use of
property by any person, or wrongfully invades
personal or proprietary legal rights and privileges
generally or which has the effect of giving
trouble, vexation, offense or inconvenience,
or which would be treated as a public or private
nuisance if such noise continued. Also, making
offensively coarse utterance, gesture, or display,
or communicating unwarranted and grossly abusive
language to any person;

2. This Ordinance is hereby declared to be an
emergency measure necessary for the public peace, health,
safety and welfare of the Village of Spencer and for the
particular reason that the Medina Municipal Court has
recently declared part of Section 133.01 (A) (2) uncon-
stitutional as the term "unreasonable noise" was vague and
lacked any limitations or standards, and without this amend-
ment the Village lacks any regulation to properly preserve
the peace and welfare of the village inhabitants, and this
Ordinance shall be in full force and effect from and after
its passage.

PASSED: January 4, 1978


Mayor

ATTEST:


Clerk