

VILLAGE OF MILLINGTON
KENDALL AND LASALLE COUNTIES, ILLINOIS

ORDINANCE NO. 09-01-04

**AN ORDINANCE REGULATING NOISE IN THE
VILLAGE OF MILLINGTON**

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Millington, Kendall and LaSalle Counties, Illinois, as follows:

SECTION 1

DEFINITIONS: All terminology used in this chapter shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body.

SECTION 2

WEIGHTED SOUND LEVEL: Sound pressure level decibels as measured on a sound level meter using the "A" weighing network. The level so read is designated dB(A) or dBA.

SECTION 3

HOURS:

A. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds 65 dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

B. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds 55 dBA when measured at any point within such receiving residential land provided, however, that point of measurement shall be on the property line of the complainant.

SECTION 4

EXEMPTIONS:

- A. Emergency Operations: Emergency short term operations which are necessary to protect the health and welfare of the citizens, such as, emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same,
- B. Noises Required by Law: The provisions of section shall not apply to any noise required specifically by law for the protection or safety of people or property.
- C. Powered Equipment" Powered equipment, such as lawn mowers, small land and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- D. Community Events: The term "Community Events" shall include such things as parades, festivals, drum corps shows, sports events, Fourth of July celebrations, sanctioned or sponsored in whole or in part by local governments, schools or charitable or service organizations.

SECTION 5

VIOLATION; FINES:

- A. The first violation of this chapter shall result in a written warning issued by the police to the owner or occupant of the property. A second violation of this chapter shall result in a one hundred dollar (\$100.00) fine. Third and subsequent violations of this chapter shall result in a five hundred dollar (\$500.00) fine. Said fine shall be paid to the Village of Millington no later than ten (10) working days after the violation.
- B. Upon the third violation of this chapter, the police and Village Attorney may seek to declare the noise a public nuisance and seek its abatement in the Circuit Court

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

PASSED THIS 11th DAY OF September, 2006.

AYES: 5

NAYS: 0

ABSENT: 1

APPROVED THIS 11th DAY OF September, 2006.



VILLAGE PRESIDENT

ATTEST:



VILLAGE CLERK