

**An Ordinance Establishing Chapter 250: Noise Regulation
within the Village of Ferrelview, Missouri
Be It Ordained by the Board of Trustees of the Village of Ferrelview,
Missouri, As Follows, To-Witt:**

CHAPTER 250: NOISE REGULATION

SECTION 250.010: DEFINITIONS OR WORD USAGE

For the purpose of this Chapter, the following terms, phrases, words and abbreviations shall have the following meanings, unless expressly stated otherwise:

CONSTRUCTION: Any site preparation, assembly, erection, repair, alteration or similar action, including demolition, for or of public rights-of-way, structures, utilities or similar property.

EMERGENCY WORK: Any work performed for the purpose of preventing or alleviating physical trauma, property damage or the protection of commerce, threatened or caused by an emergency.

NOISE DISTURBANCE: Any sound level which:

3. Disturbs the peace, quiet and comfort of neighboring residential inhabitants at any time with louder volume than is necessary for convenient hearing for the purposes of those who are in the room, vehicle or chamber in which the noise is generated and who are voluntary listeners, or is plainly audible across a residential property boundary fifty (50) feet or more from the source of the noise; or

4. A sound which is specifically prohibited pursuant to Section 250.030 of this Code.

RESIDENTIAL PROPERTY BOUNDARY: An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person or entity from that owned by another person or entity.

SECTION 250.020: NOISE DISTURBANCE PROHIBITED

No person or entity shall make, continue or cause to be made or continued any noise disturbance unless such noise disturbance is a result of construction work authorized by a building permit issued by the Village when such work is occurring between the hours of 7:00 A.M. and 10:00 P.M. If the building permit issued by the Village specifically authorizes work between 10:00 P.M. and 7:00 A.M., then noise resulting there from shall not be a noise disturbance in violation of this Chapter.

SECTION 250.030: SPECIFIC NOISE DISTURBANCES

The following acts and the causing thereof are declared to be noise disturbances in violation of this Chapter without regard to the sound level associated therewith:

1. ***Domestic power tools.*** Operating or permitting the operation of any mechanically or electrically powered saw, drill, sander, grinder, lawn or garden tool, or similar device outdoors in residential areas between the hours of 10:00 P.M. and 7:00 A.M. so as to cause a noise disturbance across a residential real property boundary.

4. ***Loud speakers and public address systems.*** Using or operating for any commercial or non-commercial purpose any loudspeaker, public address system, handheld electrically powered device amplifying speech or similar device such that the sound there from creates a noise disturbance.

5. ***Loud speakers and public address systems on public space.*** Using or operating for any commercial purpose any loudspeaker, public address system, hand-held electrically powered device amplifying speech, or similar device between the hours of 10:00 P.M. and 7:00 A.M. on a public right-of-way or public space.

6. ***Amplified music.*** Operating, playing or permitting the operation or, playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in any place public, entertainment which creates a noise disturbance across a residential real property boundary.

SECTION 250.040: SPECIAL PERMITS

A. The Board of Trustees shall adopt an appropriate form of application which persons or entities may submit to the Village Clerk to obtain a special permit for conducting a public event which may create noise to an extent that the same would constitute a noise disturbance for

purposes of this Chapter 250. If upon review of the application the Ferrelview Board of Trustees determines that the activity for which the permit is requested is made in connection with a legitimate business enterprise and that the noise disturbance will not continue beyond 12:00 midnight on the date which the permit is applied, he/she may issue a special permit to the applicant to engage in the activity which was the subject of the application. In no event shall a permit be issued for an activity which may result in a noise disturbance if such activity would constitute a peace disturbance under applicable Village ordinances.

B. Any person or entity engaging in an activity in compliance with a special permit issued pursuant to the terms hereof shall not be deemed guilty of causing a noise disturbance.

SECTION 250.060: SPECIAL PENALTY PROVISIONS

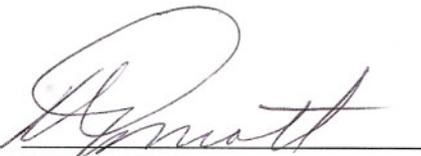
A. No person or entity shall be convicted of violating the provisions of this Chapter 250 unless such person or entity has previously received one (1) or more warnings that they are engaging in an activity which constitutes a noise disturbance.

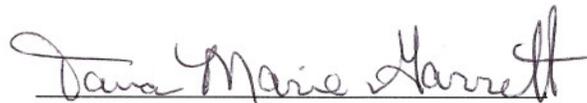
SECTION 250.070: PUNISHMENT:

A violation of any section hereof shall be a misdemeanor upon conviction, and shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

REPEALING CONFLICTING ORDINANCES: That all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Read and passed by the Board of Trustees of the Village of Ferrelview, Missouri on the 10th Day of June, 2009.


Village Clerk


Chairman of the Board