

## **BETHEL TOWNSHIP NOISE-CONTROL REGULATIONS**

### **Section 1. LOUD, DISTURBING AND UNNECESSARY NOISES PROHIBITED.**

(a) No person shall make, cause, or permit to be caused, any unreasonable noise which, because of its volume level, duration, or character, annoys, disturbs, injures, or endangers the comfort, health, safety, or peace and quiet, having due regard for the proximity of places of residence.

or other residential institutions, and any other conditions affected by such noises.

(b) Any such noise which is plainly audible at a distance of twenty-five (25) feet shall be *prima facie* evidence of a violation of these Regulations. A sound is "plainly audible" when it can be clearly heard by a person using his normal hearing faculties.

### **Section 2. APPLICABILITY.**

(a) These Regulations shall only apply:

- (1) to any premises to which a D permit has been issued by the Ohio Division of Liquor Control; and,
- (2) in areas zoned for residential use.

### **Section 3. EXCEPTIONS.**

(a) These Regulations shall not apply to:

(1) any person who engages in "agriculture", if the noise in question is attributable to an activity described in Section 1.61 of the Revised Code.

(2) any person who engages in coal mining and reclamation operations, as defined in division (B) of Section 1513.01 of the Revised Code, or surface mining, as defined in division (A) of Section 1514.01 of the Revised Code if the noise in question is attributable to coal mining and reclamation or surface mining activities.

(3) any noise resulting from the drilling, completion, operation, maintenance, or construction of any crude oil or natural gas wells or pipelines or any appurtenances to those wells or pipelines or any appurtenances to those wells or pipelines or from the distribution, transportation, gathering, or storage of crude oil or natural gas.

(4) any business or industry in existence and operating on October 20, 1999 (except for any premises to which a D permit has been issued by the Ohio Division of Liquor Control), provided that these Regulations shall apply to any new operation or expansion of that business or industry that results in substantially increased noise levels from those generated by that business or industry on October 20, 1999.

(5) sound amplifying equipment on a motor vehicle used to warn others of hazardous road, vehicle operating, or traffic safety condition.

(6) any motor vehicle that is an emergency or public safety vehicle, and which is on an emergency run.

(7) any motor vehicle owned and operated by the state, a political subdivision, or a public utility.

(8) any motor vehicle participating in a parade for which the sponsors of the parade have obtained the proper permits.

(9) sound amplifying equipment on a motor vehicle which is being operated as a requirement of state or federal law.

(10) vendors of ice-cream and related products between the hours of 9:00 AM and 8:00 PM.

Section 4. PENALTY.

(a) Whoever violates these Regulations is guilty of a minor misdemeanor.

(b) Fines levied and collected under this Section shall be paid into the general revenue fund of Bethel Township.