

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE YORKTOWN CODE REGARDING NOISE

*Whereas*, certain provisions of the current noise ordinance have proven to be vague and difficult to interpret or enforce; and

*Whereas*, the Town Council wishes to strike the vague portions, leaving an ascertainable standard by which citizens shall abide;

**NOW, THEREFORE BE IT ORDAINED** BY THE COMMON COUNCIL OF THE TOWN OF YORKTOWN, INDIANA, that Title IX, Chapter 94 of the Yorktown Code of Ordinances shall be and hereby is amended as follows (deleted language in ~~striketrough~~):

**§ 94.07 REGULATIONS GOVERNING THE GENERATION OF SOUND.**

(A) No person shall play, use or operate any machine or device for the producing or reproducing of sound, including, but not limited to, loudspeakers, radios, CD players, television sets, musical instruments, phonographs, cassette players or any other machine designed or intended to produce or reproduce sound, if such machine, device or vehicle is located in or on any of the following:

(1) Any public property, including any public right-of-way, highway, building, sidewalk, public space, park or thoroughfare and the sound generated therefrom is:

~~—(a) Clearly audible 40 feet or more from its source, or~~

~~—(b) Is at a level of 90 decibels (90 dB) or more when measured from a distance of not less than six feet from its source.~~

All sections of chapter 94 not specifically altered herein shall remain as written.

Approved and made effective by the Town Council of Yorktown this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Rich Lee, Town Council President

ATTEST:

\_\_\_\_\_  
Lance Turner, Town Clerk/Treasurer