

ORDINANCE OF THE TOWN OF CHARLESTON, VERMONT

AN ORDINANCE REGULATING NOISE

Be it ordained by the Selectboard of the Town of Charleston, Vermont that:

Ordinance pertaining to noise disturbances in the Town of Charleston, Vermont.

The purpose of this ordinance is to preserve the public health, safety, and welfare by prohibiting excessive and disturbing noise and to prevent noise which is prolonged or unsuitable for the time and place and which is detrimental to the peace and good order of the community.

Section 1 General Prohibition

It shall be unlawful for any person to make or cause to be made any loud or unreasonable noise. Noise shall be deemed to be unreasonable when it disturbs, injures or endangers the peace or health, safety or welfare of the community.

Section 2 Defined Prohibitions

- a. *Radios, televisions, stereos, and similar devices:* The operation or permitting the use or operation of these devices in such a manner as to disturb the peace, quiet, or comfort of the public or in such a manner as to be loudly audible through the walls between units within the same building, from another property, or from the street.
- b. *Motor vehicle sound equipment:* The operation or permitting the operation of any radio, stereo or other sound amplification equipment from a motor vehicle that is audible at twenty-five (25) feet from such vehicle. The term motor vehicle shall mean any car, truck or motorcycle.
- c. *Parties and other social events:* It shall be unlawful for any person in charge of a party or event to produce noise in a loud or offensive manner such that this noise interferes with the peace or health of the public, or is loudly audible through the walls between units within the same building, from another property, or from the street. A person shall be deemed to be in charge of a party or social event when that event occurs on private property and the person is present and resides at the premises involved, or is a person who has authorized the premises for such an event.

Section 3 Penalties

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA Section 1974a and Section 1977 et seq. A civil penalty of not more than \$500.00 may be imposed for a violation of this civil ordinance. The waiver fee shall be set at \$50.00 for the first offense. The waiver fee for a second offense within a twelve-month period shall be \$75.00, with all subsequent offenses carrying a waiver fee of \$100.00.

This ordinance shall become effective sixty days after its adoption unless a petition signed by no less than 5% of the qualified voters of the Town of Charleston asking for a vote on the question of disapproving the ordinance is filed with the Town Clerk or the Selectboard within forty-four days after the adoption of this ordinance. If such a petition is filed, the Selectboard shall call a special meeting to vote on that question, and the ordinance shall become effective at the end of that meeting unless a majority of those voting on the question disapprove the ordinance or sixty days after its adoption, whichever is sooner.

Date: August 10, 2000
Selectboard, Town of Charleston