

ORDINANCE 2022-01

REGULATING LOUD AND UNNECESSARY NOISE

WHEREAS, the Town of Brooklyn is a municipality which has adopted village powers pursuant to Wisconsin Statutes, Section 60.10 (2) (c); and

WHEREAS, noise pollution is a local issue since its immediate short-term effects do not range beyond local jurisdictions; and

WHEREAS, noise pollution produced by human activities has been increasingly recognized as a serious and growing environmental and health problem and has been implicated in a variety of health disorders, ranging from stress and hypertension to anxiety and permanent hearing loss; and

WHEREAS, expanding metropolitan areas and more efficient modes of transportation continue to push residential communities further into rural areas, noise pollution will most likely become a more prominent issue;

NOW, THEREFORE, the Town Board of Supervisors of the Town of Brooklyn, in order to help eliminate undesirable conditions that creates or causes any unreasonable or unnecessary loud noise or disturbance, injurious to the health, peace or quiet of the residents, does ordain as follows:

SPECIFIC VIOLATIONS

Acts, noises and disturbances declared to be a violation of this Ordinance include, but are not limited to, the following:

- (a) Radios and Similar Devices. The playing of any radio, compact disc, cassette recorder, television or other electronic or mechanical sound producing device, including any musical instrument, in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons from a nearby property;
- (b) Yelling, Shouting, Hooting, Whistling or Singing. Yelling, shouting, hooting, whistling or singing on public streets between the hours of 10:00 PM and 7:00 AM or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity;
- (c) Animals or Birds. The keeping of any animal or bird which emanates frequent or extended noise which unreasonably disturbs the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residences;
- (d) Interference to Institutions. The emission or creating of any excessive noise which unreasonably interferes with the operation of any school church, hospital or court;

- (e) Motorized Vehicles. The operation of any automobile, motorcycle, snowmobile or boat motor that is out of repair or so loaded or constructed so as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise, including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort, or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this Ordinance;
- (f) Horns or Signaling Device. The sounding of any horn or signaling device on any motorized vehicle, for longer than three (3) seconds in any period of one (1) minute or less, except as a danger warning;
- (g) Mufflers. The discharging outside of any enclosed building of the exhaust of any internal combustion engine except through a muffler or other similar device which will effectively prevent loud or explosive noises. The modification of any noise abatement device on any motor vehicle or engine or failure to maintain same so the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be a violation of this Ordinance;
- (h) Amplifiers. The operation of a loudspeaker or other sound amplifying device upon any vehicle on the streets of the Town with the purpose of advertising, where such vehicle, speaker or sound amplifying device emits loud noises unreasonably disturbing to nearby residents;
- (i) Tracks and Testing Grounds. The operation of any race-track, proving ground, testing area or obstacle course for motor vehicles, motorcycles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Town where the noise emanating therefrom would be unreasonably disturbing and upsetting to other persons in the vicinity;
- (j) Machinery and Mechanical Devices. The operation of any machinery, equipment or mechanical device so as to emit unreasonably loud noise which annoys disturbs, injures or endangers the comfort, health, peace or safety of others within the Town;
- (k) Firearms. The discharge of firearms for the purpose of generating noise.

EXCEPTIONS

None of the prohibitions here-in-before enumerated shall apply to the following:

- (a) Noise generated by agricultural equipment while engaged in normal agricultural activities including but not limited to planting, cultivation, irrigation and harvesting of crops;
- (b) Noise generated by normal operations in Industrial Districts;
- (c) Sounds made by animals or birds housed in Agricultural Districts which emanate frequent noises and are excluded from this Ordinance;
- (d) Noise from any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities;

- (e) Noises occurring between 7:00 AM and sundown caused by construction repairs or demolition, maintenance of grounds, provided, equipment is in proper working order;
- (f) Sounds associated with excavation or repair of bridges, streets or highways or other property by or on behalf of the Town of Brooklyn, Green Lake County or the State of Wisconsin at any time of the day or night when the public welfare, safety and convenience render it impossible to perform such work during other hours;
- (g) Noises emanating from the discharge of firearms for target practice shooting or hunting;
- (h) Noises associated with a public or private meeting, concert, parade or other similar event, with prior approval of the Town of Brooklyn Town Board;
- (i) Sounds emanating from activities approved under a conditional use permit.

ENFORCEMENT

This Ordinance shall be enforced by the Green Lake County Sheriff's Department.

PENALTY

Any person found guilty of violating any provision of this Ordinance shall for each offense be punished by a fine of two hundred dollars (\$200.00).

SEVERABILITY.

If any section of this Ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

EFFECTIVE DATE.

Ordinance shall become effective upon adoption and publication or posting, as provided by law.

ADOPTION

The above and forgoing Ordinance was duly adopted by the Town Board of the Town of Brooklyn, at a meeting held on the 14th day of June, 2022 by a vote of _____.

TOWN OF BROOKLYN

By: _____
Mike Wuest Date
Chairperson

Attest: _____
Kathleen Morris Date
Clerk