

ORDINANCE NO. 2022- 15

AN ORDINANCE PROHIBITING LOUD OR EXCESSIVE NOISE FROM MOTOR VEHICLES OPERATING WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CASTALIA AND DECLARING AN EMERGENCY.

WHEREAS, loud and excessive noise from sound amplification systems in motor vehicles is a public nuisance and can be a safety hazard on the roadways within the Village, and

WHEREAS, it is necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the Village of Castalia that this Ordinance to prohibit loud or excessive noise from motor vehicles take effect immediately upon its adoption and due authentication.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CASTALIA, OHIO

SECTION 1. That from the effective date of this Ordinance, the following regulations shall be in effect relative to loud or excessive noise in the operation of a motor vehicle within the Village of Castalia:

That loud or excessive noise in the operation of motor vehicles is prohibited.


- (A) No person shall operate a motor vehicle within the Village or equip a motor vehicle with or use any device, so as to create loud or excessive noise. Nothing herein shall be construed to prohibit the blowing of horns when necessary to prevent accident or the use of sirens or similar devices on authorized emergency vehicles.
- (B) No operator or passenger of a motor vehicle shall operate, or permit the operation of, any sound amplification system which can be heard outside the vehicle from fifty (50) or more feet when the vehicle is being operated upon a street or highway.
- (C) "Sound amplification system" includes any radio, tape player, compact disc player, loudspeaker or other electronic device used for the amplification of the human voice, music or any other noise or sound.
- (D) It is an affirmative defense to a charge under this Section that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply:
 - (1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition;
 - (2) The vehicle was an emergency or public safety vehicle;

- (3) The source of the noise was a two-way communication system such as is used in vehicles owned and operated by the Village or a gas, electric, communication or water utility company;
- (4) The vehicle was being used in a parade, and the person or organization conducting the parade had obtained a parade permit from the village.
- (E) The penalty for violation of this Section shall be a fine of not more than \$150.00.

SECTION 2. That the fiscal officer is authorized and directed to provide a certified copy of the foregoing ordinance to the Erie County Sheriff, the Sandusky Municipal Court, and the Sandusky Bay Law Library.

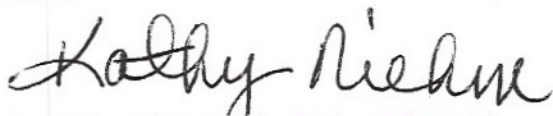
SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including *section 121.22 of the Revised Code*.

SECTION 4. That for the reasons set forth in the preamble, this Ordinance shall be adopted as an emergency measure to take effect immediately upon its adoption by the Mayor and the Fiscal Officer, respectively.



Mayor

Attest:



Village Fiscal Officer

Adopted: July 12, 2022