

## **TOWN OF VERNON**

### **NOISE ORDINANCE**

SECTION 1. AUTHORITY. This ordinance is adopted by the Selectboard of the Town of Vernon under authority of 24 V.S.A. § 123-104.

SECTION 2. PURPOSE. In consideration of neighbors and in order to protect the comfort, quiet repose, health, peace, safety and public tranquility the Selectboard of the Town of Vernon adopt an ordinance to prohibit and/or appropriately regulate a person or persons from making or continuing any excessive, unnecessary, or unreasonably loud noise or disturbance.

SECTION 3. NIGHTTIME NOISE. A person who, between the hours of 10 pm and 7 am breaks the public peace by firing guns, blowing horns, projecting loud music, yelling excessively, allowing dogs or cats to make excessive noise or otherwise creates a noise disturbance to neighbors shall be in violation of the noise ordinance.

SECTION 4. PENALTIES. A person in violation of this ordinance shall be fined \$50.00 for the first offense, \$100 for the second offense and \$200 for the third offense in a calendar year. Any fines collected under this ordinance shall be paid over to the Town of Vernon.

SECTION 5. OTHER LAWS. This ordinance is in addition to all other ordinances of the Town of Vernon and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 7. ENFORCEMENT. Enforcement and response to complaints shall be the duty of the Law Enforcement official on duty at the time of the complaint, a local constable or the presiding Animal Control Officer. Violation of this order shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Windham County Superior Court at the election of the Enforcement Official as designated by the Vernon Selectboard.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Vernon Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

SECTION 9. SECTION TITLES. The titles of each of the section of this Ordinance are included for reference purposes only and not intended to have the effect of law.

Adopted this 18th day of September, 2018.

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Joshua Unruh, Selectboard Chair

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Date

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Sandra Harris, Selectboard Vice Chair

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Jean Carr, Selectboard Clerk

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Jeffrey Dunklee

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Christopher Parker

#### Noise Ordinance Adoption History

1. Agenda item at regular Selectboard meeting held on \_Sept. 18, 2018\_\_\_\_\_.
2. Read and approved at regular Selectboard meeting on \_\_Sept. 18, 2018\_\_ and entered in the minutes of that meeting which were approved on \_\_\_\_\_.
3. Posted in public places on \_\_\_\_\_.
4. Notice of adoption published in the \_\_\_\_\_ newspaper on \_\_\_\_\_ with a notice of the right to petition.
5. Other actions [petitions, etc.]