

**AN ORDINANCE PROHIBITING LOUD,
UNNECESSARY OR DISTURBING
NOISES UPON THE STREETS, SIDEWALKS
OR PARKING AREAS WITHIN THE
TOWN OF GREENWOOD**

BE IT ORDAINED by the TOWN COUNCIL OF THE TOWN OF GREENWOOD, in Council met, in the manner following, to wit:

Section 1.

The following acts, by any person, while walking, operating any motor vehicle, vehicle, or bicycle, or combination of motor vehicles, vehicles, or bicycles, upon the streets, sidewalks or parking areas within the Town, are declared to be loud, unnecessary and disturbing noises in violation of this Ordinance:

Using, operating or playing or causing to be used, operated or played any radio, stereo system, tape player, compact disc player, or any musical instrument or device for producing, reproducing or amplifying sound (the "audio devices") in such manner as to disturb the peace, quiet, comfort or health of any reasonable person or persons of normal sensitivities or in such manner that the volume of sound therefrom is louder than reasonably necessary for convenient hearing by the person or persons operating the aforesaid audio devices or who are voluntary listeners thereto.

Section 2.

It shall be prima facie evidence of the violation of this Ordinance if the operation of one or more of the audio devices produces a sound plainly audible or unreasonably loud to a reasonable person or persons of normal sensitivities at a distance greater than ten (10) feet from the audio devices and/or if the sound produced, at a distance greater than ten (10) feet, exceeds 65 decibels, or defined in Section 3 hereof.

Section 3.

As used in the Ordinance:

- A. Acoustical terminology shall be that contained in ANSI Acoustical Terminology (1971), or its latest version. ANSI denotes the American National Standards Institutes or its successor bodies.

- B. The sound level produced by one or more audio devices shall be measured in decibels with a sound level meter using the A-weighted network or scale as specified in ANSI S1.4-1974 Specification for Sound Level Meters, or its latest version.

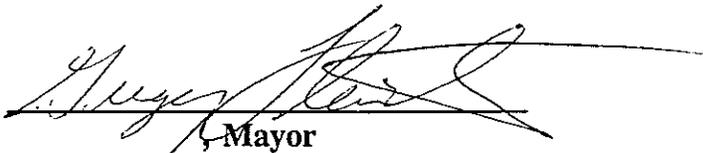
Section 4.

- A. Any violation of the provisions of this Ordinance is a misdemeanor and, upon conviction thereof, shall be punishable by a fine of up to One Hundred Dollars (\$100.), or by imprisonment for a period not to exceed thirty (30) days, or both, for each offense, together with court costs, and each hour a violation continues shall constitute a separate offense.
- B. The imposition of one (1) penalty for any violation shall not excuse the violation nor permit it to continue.
- C. Nothing in this Ordinance shall be construed to abridge, limit or otherwise impair the right of any person to damages or other relief on account of injuries to persons or property and to maintain any action or other appropriate proceedings therefor.

PASSED by a majority of all elected members of the Town of Greenwood, Delaware, this 2ND day of SEPTEMBER, 1997.

**MAYOR & COUNCIL OF
GREENWOOD, DELAWARE**

By:



, Mayor

Attest:



, Secretary