

AUG - 3 2015

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3197

Wiley J. H. H.
City Clerk

**AN ORDINANCE AMENDING CHAPTER 9.24 OF THE CITY OF COLUMBIA,
ILLINOIS MUNICIPAL CODE ADDRESSING NOISE NUISANCES**

WHEREAS, the City Council of the City of Columbia ("City Council") previously adopted Chapter 9.24 of the City of Columbia Municipal Code ("City Code"), addressing the issue of noise nuisances within the City of Columbia ("City"); and

WHEREAS, the City Council believes it is in the best interest of the City, and now desires to amend Chapter 9.24 of the City Code to allow the Chapter to be more succinct.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one ("1") of this Ordinance.

Section 2. That Chapter 9.24 of the City Code shall be amended to read as follows:

"Chapter 9.24

NOISE

Sections:

9.24.010 Definition.
9.24.020 Noise Prohibited.
9.24.030 Violation; Penalty.

Section 9.24.010 Definition.

The term "person," when used in this chapter, shall mean any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, or any legal successor, representative, agent or agency of the foregoing.

Section 9.24.020 Noise Prohibited.

No person shall cause or allow the emission of, beyond the boundaries of his or her property, any sound that unreasonably interferes with the enjoyment of life or with any lawful business or activity.

In determining whether a sound unreasonably interferes with the enjoyment of life or with any lawful business or activity, the City may consider the following factors, including but not limited to:

- (1) Time of day (for example, sound made between the hours of eleven (11) p.m. and seven (7) a.m. will be subject to greater scrutiny);
- (2) Location;
- (3) Frequency of sound;
- (4) Duration of sound;
- (5) Necessity of sound (for example, sound made out of necessity to avoid danger will be subject to lessened scrutiny); and
- (6) Volume, pitch, or harshness of sound;

Section 9.24.030 Violation; Penalty.

Any person who commits the acts prohibited herein shall be guilty of a city ordinance violation. Further, the city attorney may bring an action to enjoin any person from violating this chapter and seek an order from the circuit court ordering the violator to abate any violations of this chapter."

Section 3. This Ordinance shall be in full force and effect immediately upon passage as provided by law.

YEAS: Aldermen Ebersohl, Agne, Niemietz, Huch, Reis, Holtkamp and Martens.

NAYS: None.

ABSENT: Alderman Roessler.

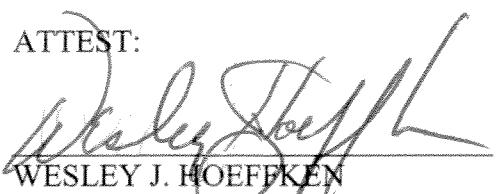
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 3rd day of August, 2015.



KEVIN B. HUTCHINSON
Mayor
City of Columbia

ATTEST:



WESLEY J. HOEFFKEN
City Clerk
City of Columbia