

NOISE CONTROL ORDINANCE

1. **Title:** This ordinance shall be known as the Town of Danforth Noise Regulation Ordinance.
2. **Purpose and Authority:** The making, creation or maintenance of any loud and raucous noise which, because of its volume, duration and/or character injures or disturbs the comfort, health, peace or safety of reasonable persons of ordinary sensibilities is hereby declared a nuisance and subject to regulation. The purpose of this ordinance is to protect public health, safety and welfare by controlling loud and raucous noises. This ordinance is adopted pursuant to the Home Rule powers contained in the Maine Constitution and 30-A MRSA ss 3001 et seq.
3. **Definitions:** Loud and raucous noise: This term means any sound which, because of its volume, duration and/or character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities. The term includes but is not limited to the kinds of noise or noise-generating activities listed in Section 4, except as provided in Section 5.
4. **Prohibition:** It is unlawful for any person to create, cause, maintain or allow any loud and raucous noise within the Town of Danforth. This prohibition includes but is not limited to the following noises or noise-generating activities:
 - a) the sounding of any motor vehicle horn except as a danger warning;
 - b) the squealing or screeching of the tires of a motor vehicle except as may be caused by the braking of said vehicle in an emergency situation;
 - c) yelling, shouting, hooting or singing;
 - d) the use or operation of any radio, tape player, CD player, amplifier, musical instrument or other device which produces or reproduces sound.
5. **Exceptions:** This ordinance does not prohibit the creation or maintenance of any noise which is reasonably necessary to protect the public health, safety and welfare, including but not limited to: sirens, bells, or whistles used by emergency vehicles; burglar alarms; and fire alarms.
6. **Penalties:** A violation of this ordinance is a civil violation punishable by a fine of not more than \$ 500.00 for each separate offense. Any fine imposed for a violation of this ordinance shall be paid to the Town of Danforth. In addition to any fine imposed, the violator shall pay all court costs and reasonable attorneys fees incurred by the Town in the prosecution of this case.
7. **Enforcement:** This ordinance shall be enforced by a Noise Ordinance Enforcement

Officer(s) or other agent(s) who shall be appointed by and responsible to the Selectmen. The Noise Ordinance Enforcement Officer(s) shall investigate complaints of loud and raucous noise, and may issue warnings or citations for violations of this ordinance. Violations of this ordinance may be prosecuted in the District Court pursuant to Rule 80H, Maine Rules of Civil Procedure.

8. **Effective date and Severability:** This ordinance shall become effective when adopted by a majority of voters present and voting at any annual or special town meeting. In the event that any provision of this ordinance is deemed unenforceable by a Court, the remaining provisions continue in full force and effect.