

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 01-36

AN ORDINANCE PERTAINING TO NOISE AND AMENDING THE VILLAGE
OF CHATHAM CODE OF ORDINANCES

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF CHATHAM, ILLINOIS
THIS 14 DAY OF JULY, 2001

NOT ACTED BY THE VILLAGE BOARD
FAILED IN ADMINISTRATION COMMITTEE, JULY 16, 2001
[Signature]

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this _____ day of _____, 2001.

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ORDINANCE NO. _____

**AN ORDINANCE PERTAINING TO NOISE AND AMENDING THE VILLAGE
OF CHATHAM CODE OF ORDINANCES**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:*

SECTION 1: The Village of Chatham Code of Ordinances is amended by the addition of Chapter 131, as follows.

Chapter 131

NOISE

131.01 Definitions:

As used in this chapter, the following terms have the following meanings. In addition, all definitions of acoustical terminology as contained in American National Standards Institute (ANSI) section 1.1 – 1960 "Acoustical Terminology" are incorporated herein by reference thereto.

(a) A-Weighted Sound Level: dB(A), in decibels, a frequency weighted sound pressure level, determined by the use of the metering characteristics and A-weighted network specified in ANSI §1.4-1971 (R.1976) "Specification for Sound Level Meters" and the latest revisions thereof.

(b) Class A land: all land zoned R-1, R-1A, R-2, R-3 or RM-4 under the zoning ordinance of the Village.

(c) Class B land: all land zoned B-1, B-2 or Residence-Office under the zoning ordinance of the Village.

(d) Class C land: all land zoned I-1 or I-2 under the zoning ordinance of the Village, or any other land which is not Class A land.

(e) Property-line-noise-source: any musical instrument or device, radio, phonograph, compact disc player, stereo receiving unit, microphone, loudspeaker, amplifier, or any other similar sound device or equipment, which emits any sound.

(f) Slow Dynamic Characteristic: the dynamic characteristic specified as "Slow"

in ANSI document §1.4-1971 (R.1976) "Specification for Sound Level Meters".

(g) Sound: an oscillation in pressure in air.

(h) Sound level: in decibels, a weighted sound pressure level, determined by the use of metering characteristics and frequency weightings in ANSI section 14-1971 "Specification for Sound Level Meters".

(i) ANSI: American National Standards Institute or its successor bodies.

(j) dB(A): see "A-weighted Sound Level."

131.02 Sound Emitted to Class A Land

(a) Except as provided in Section 131.04, no person shall cause, permit, or allow the emission of sound during daytime hours (i.e. 7:00 a.m. to 10:00 p.m., local time) from any property-line-noise-source located on any Class A, B, or C land to any receiving Class A land, which exceeds, for any continuous period of 30 seconds or more measured on Slow Dynamic Characteristic, any allowable dB(A) sound level specified below, when measured at any point within such receiving Class A land.

Class C Land	61dB(A)
Class B or Class A Land	55dB(A)

(b) Except as provided in Section 131.04, no person shall cause, permit, or allow the emission of sound during nighttime hours (i.e. 10:00 p.m. to 7:00 a.m., local time) from any property-line-noise-source located on any Class A, B, or C land to any receiving Class A land, which exceeds, for any continuous period of 30 seconds or more measured on low Dynamic Characteristic, any allowable dB(A) sound level specified below, when measured at any point within such receiving Class A land.

Class C Land	51dB(A)
Class B or Class A Land	44dB(A)

131.03. Measurement of Sound:

The measurement of sound shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute (ANSI S1.4 Type 2 and IEC 651 Standards).

131.04 Exemptions:

(1) The following situations shall be exempt from the provisions of Section 131.02:

(1) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, to restore public utilities, or to protect persons or property from an imminent danger;

(2) Sound made to alert persons to the existence of an emergency, danger or attempted crime;

(3) Parades, concerts, festivals, fairs or other such activities which are open to the general public and operated or conducted in accordance with other applicable ordinances and pursuant to a permit or other specific approval of the corporate authorities of the Village;

(4) Athletic, musical or cultural activities or events, including practices and rehearsals, conducted by or under the auspices of governmental units or educational institutions.

(5) Bells used in connection with religious buildings and religious services;

(6) Activities pursuant to a private event permit as set forth in section 131.05

131.05. Private Event Permits

(1) No person shall knowingly sponsor, engage in, conduct or participate in any private party or gathering, conducted on private property in violation of section 131.02, unless a permit has been obtained therefor.

(2) A private event permit is valid only for an event conducted on Class A land and only for an event for which no admission is charged. Its duration is limited to 12 hours, and shall not extend to any time between 12:00 midnight and 7:00 a.m.

(3) A person desiring a private event permit shall submit an application therefor at least 7 calendar days prior to the event to the Chief of Police on an application form to be designed by the Chief of Police which will contain, as a minimum, the following information:

a. The name, address and telephone number of the owner of the property at which the event will be held;

- b. The zoning classification of the land;
- c. The date and designated time period;
- d. The location of any property-line-noise sources;
- e. An acknowledgment that the sponsor has read this Chapter and is familiar with the limitations contained therein.

(3) The Chief of Police shall grant the permit unless:

- a. The applicant or the property has already received two such permits in the previous calendar year; or has had a permit revoked in the previous calendar year; or
- b. The information on the application is incomplete or inaccurate.

(4) If the Chief of Police denies an application for a private event permit, the applicant shall have an immediate right of appeal to the Village President, who will conduct an informal hearing within two business days, and whose decision is subject to administrative review.

(5) The sponsor of the event shall have the private event permit available for inspection by law enforcement officers for the duration of the event.

131.06 Nuisance Declared The Village hereby declares that the repeated operation of any premises in violation of this Chapter is a nuisance. In addition to any penalties or other remedies available to the Village, the Village may sue the owner and operator of any premises which is in violation of this Ordinance, to abate and restrain such a nuisance.

131.07 Penalty Any person, firm or corporation who or which violates any provision of this Chapter, or owns or controls a lot on which a violation occurs, shall be subject to a fine of not less than \$250.00 nor more than \$750.00 for each violation. Each day a violation occurs shall be deemed a separate offense.

SECTION 2: This Ordinance shall be effective upon its passage and publication as required by law. The Clerk shall publish this Ordinance in pamphlet form, and shall see to its inclusion in the next update of the Village of Chatham Code of Ordinances.

PASSED this _____ day of _____, 2001.

VILLAGE PRESIDENT

ATTEST:

Village Clerk

AYES: _____

NAYS: _____

PASSED: _____

APPROVED: _____

ABSENT: _____

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 01-36, adopted by the President and Board of Trustees of said Village on the _____ day of _____, 2001, said Ordinance being entitled:

AN ORDINANCE PERTAINING TO NOISE AND AMENDING THE VILLAGE OF CHATHAM CODE OF ORDINANCES

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this ___ day of _____, 2001.

Village Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

CERTIFICATE

I certify that I am the duly elected and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I further certify that on _____, 2000, the corporate authorities of such Village passed and approved Ordinance No. _____ entitled:

AN ORDINANCE PERTAINING TO NOISE AND AMENDING THE VILLAGE OF CHATHAM CODE OF ORDINANCES

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 01-36 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on _____, 2001, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Chatham, Illinois, this ____ day of _____, 2001.

(SEAL)