

ORDINANCE NUMBER # 2020-04

TOWN OF MILLERSBURG, INDIANA

LOUD AND UNNECESSARY NOISE PROHIBITED

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
OF MILLERSBURG INDIANA;**

**Whereas, the Town of Millersburg Indiana is concerned
in protecting the health and well-being of citizens and
property in the Town of Millersburg, thus establishes the
following noise ordinance.**

- (A) It shall be a violation of this subchapter for a
person to make or allow property under his or her
control to make any loud, raucous, improper,
unreasonable, offensive or unusual noise which
disturbs, injures, or endangers the comfort,
repose, health, peace, safety, or quiet enjoyment
of others within the town.**
- (B) It shall be the duty of every real property owner,
the owner or manager of any business in the
town, or motor vehicle driver operating a vehicle
within the town, to prevent persons using**

property under their control from violating this subchapter.

(C) PENALTY AND ENFORCEMENT.

(A) Whoever violates any provision of this subchapter for which no specific penalty is otherwise provided, shall, upon citation thereof, pay a fine of not more than \$250. Each day any violation shall continue shall constitute a separate offense.

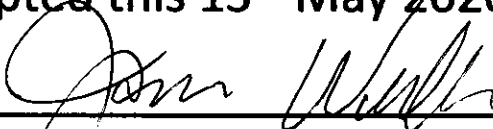
(B) In all cases where the same offense may be made punishable, or may be created by different clauses or sections of the ordinances of the town, the Town Attorney may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense.

(C) Whoever violates any of the provisions of this chapter shall be considered guilty of an infraction and upon conviction shall be punished by a fine not less than \$50.

(D) All fines delinquent in payment for 14 calendar days or longer from the date of the violation will be double the original fine.

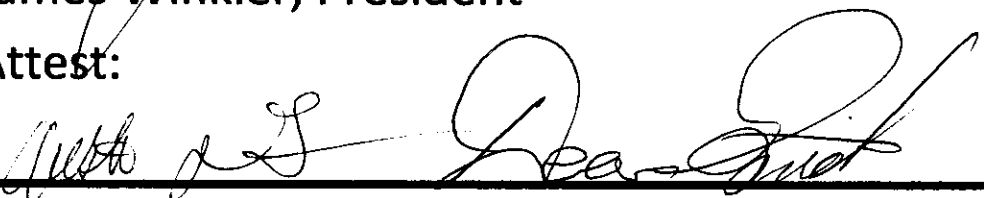
(E) If the violator has received one or more citations for violations or written warnings from town police officers of the existence of a violation of this subchapter, the Town Board or Town Marshal may issue notice of the violation and a penalty of up to \$250 may be assessed. If the violation is not terminated within 24 hours of delivery of the notice and the fine paid within ten days, the Town Manager or Town Marshal may pursue civil proceedings, including injunctive relief to prevent further violations. In such event, the town may collect all costs of such action, including attorney fees.

Adopted this 13th May 2020



James Winkler, President

Attest:



Dean Smith, Austin Turner, Council Members



Mackenzie Taylor, Clerk Treasurer