

TOWN OF BAILEYS HARBOR

ORDINANCE NO 7, 97

AN ORDINANCE REGULATING NOISE
IN THE TOWN OF BAILEYS HARBOR

The Town Board of Supervisors of the Town of Baileys Harbor, Door County, Wisconsin, do ordain as follows:

Sec. 1 Purpose/Statutory Authority.

Pursuant to State Statutes 60.22 (3) and 61.34 (1), the Town Board of Supervisors (Town Board) of the Town of Baileys Harbor (Town), Door County, Wisconsin, wishes to prohibit noise tending to unreasonably disturb persons in the vicinity of the noise.

Sec. 2 Definition. As used in this ordinance, unless the context indicates otherwise:

Definition of Livestock according to State Statutes 174.001 (3), means any horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm-raised deer, as defined in State Statutes 95.001 (1) (a) or domestic fowl, including game fowl raised in captivity.

Sec. 3 Noise

No person shall make or assist in making any noise tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof unless the making and continuing of the same cannot be prevented and is necessary for the protection and preservation of the property or of the health, safety, life or limb of some person.

No person shall allow any non livestock animal to make loud or unreasonably noise, tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof.

Sec. 4. Bands

(1) No person shall allow or participate in any band playing outside of any building in the Town between the hours of 10:00 P.M. and 8:00 A.M.

(2) No person shall allow or participate in a band playing inside a building after 10:00 P.M. and before 8:00 A.M. unless all of the windows and doors are closed.

Sec. 5 Penalty

(1) Any person violating any provision of this Ordinance shall forfeit not less than \$50.00 nor more than \$200.00 for the first offense, and not less than \$200.00 more than \$500.00 for each subsequent offense, plus court costs and assessments.

(2) Each day of violation constitutes a separate offense.

Sec. 6 Enforcement

(1) This Ordinance may be enforced by the issuance of a citation to any violator of this Ordinance by any Sheriff or Deputy Sheriff of the County of Door, State of Wisconsin, by any State of Wisconsin officer with police powers, or by the Town Constable of the Town of Baileys Harbor, or any other duly appointed law enforcement officer of the Town.

(2) In the alternative, any forfeiture imposed by this Ordinance may be sued for and recovered by the Town pursuant to Chapter 778, Wis. Stats., in the name of the Town of Baileys Harbor.

Sec. 7 Conflicting Ordinances

All Ordinances in whole or in part of the Town which conflict with the provisions of this Ordinance are hereby repealed.

Sec. 8 Severance Clause

Provisions of this Ordinance are declared to be severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

This Ordinance shall take effect on the day after its publication.

Dated this 13th day of October, 1997

TOWN BOARD

Steven Parent

by: Steven Parent, Town Chairman

Attest:

Jane Pluff
by: Jane Pluff, Town Clerk