

ORDINANCE NO. 9-24B

An Ordinance Repealing and Recreating section 9.05, Loud and Unnecessary Noise Prohibited of the Town of Ottawa Municipal Code.

WHEREAS, the Town of Ottawa regulates loud and unnecessary noises in Section 9.05 of the Town of Ottawa Municipal Code; and

WHEREAS, excessive noise disturbs the peace and quiet and disturbs others, creating risks to health and increasing stress and disharmony; and

WHEREAS, the Town of Ottawa Town Board recently revised the Town's ATV/UTV Route Ordinance to include further regulations, including the prohibition of operating loud all-terrain and utility-terrain vehicles caused by exhaust systems, rapid acceleration and/or deceleration, or audio devices on these vehicles; and

WHEREAS, upon review of the regulations of the ATV/UTV Route Ordinance, the Town Board finds that it is in the best interest of the Town of Ottawa to codify the noise regulations relating to the operation of ATVs and UTVs as part of the Town Code.

NOW THEREFORE, the Town Board for the Town of Ottawa, Waukesha County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 9 of the Town of Ottawa Municipal Code entitled "Peace and Order," Section 9.05 entitled "Loud and Unnecessary Noise Prohibited," is hereby repealed and re-created as follows:

LOUD AND UNNECESSARY NOISE PROHIBITED

1. 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 or preservation of property or of the health, safety, life or limb of some person.
2. No person, firm or corporation occupying or having charge of any building or premises, or any part thereof, shall cause, suffer or allow any loud, excessive or unusual noise in the operation or use of any radio, phonograph or other mechanical or electrical device, instrument or machine, which loud, excessive or unusual noise tends to unreasonably disturb the comfort, quiet or repose of persons therein or in the vicinity.
3. It shall be unlawful for any person to operate a motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as a result of the

operation of audio devices such as but not limited to radios, phonographs and tape players.

SECTION 2. SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon its passage and publication/posting as provided by law.

Dated this 10 day of Sept, 2024.

TOWN OF OTTAWA


Cheryl Rupp, Town Chairman

Attest:


Lori Geyman, Clerk/Treasurer

Published and/or posted this 10 day of Sept, 2024