

**Sec. 17.09 Failure to Obey Lawful Order.**

It shall be unlawful for any person to fail to obey the direction or order of a law enforcement officer that is given while such officer is acting as a law enforcement officer in the Town.

**Sec. 17.10 Trespass.**

No person may enter or remain on any property after having been notified by the owner or lawful occupant not to enter or remain on the property, unless authorized to do so by law.

**Sec. 17.11 Littering.**

No person may drop or throw any paper, plastic, glass, refuse, waste, filth, or other litter upon a street, alley, highway, public park, water, or other public or private property without the consent of the owner of the property.

**Sec. 17.12 Loud and Unnecessary Noise.**

- (1) **Loud and Unnecessary Noise Prohibited.** It shall be unlawful for any person to make, continue, or cause to be made or continued any loud and unnecessary noise. It shall be unlawful for any person to knowingly or wantonly use or operate, or to cause to be used or operated, any mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in any public or private place in such manner that the peace and good order of the neighborhood is disturbed or that persons owning, using, or occupying property in the neighborhood are disturbed or annoyed.
- (2) **Types of Loud and Unnecessary Noises.** The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this Section, but this enumeration shall not be deemed to be exclusive:
  - (a) **Horns, signaling devices.** The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle for longer than 3 seconds in any period of 1 minute or less, except as a danger warning; the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any plainly audible device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any signaling device when traffic is for any reason held up.
  - (b) **Radios, phonographs, similar devices.** The playing, using, or operating, or permitting to be played, used, or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine, or device between the hours of 10:00 p.m. and 7:00 a.m. in a

manner as to be plainly audible at the property line of the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this Section.

- (c) **Loudspeakers, amplifiers for advertising.** The playing, using, or operating, or permitting to be played, used, or operated, of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.
- (d) **Animals, birds.** The keeping of any animal or bird which causes frequent or long continued unnecessary noise.
- (e) **Exhausts.** The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor boat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (f) **Construction or repair of buildings.** The erection (including excavation), demolition, alteration, or repair of any building by the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or any other similar equipment attended by loud or unusual noise, other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and Saturdays; provided, however, that if the Town has a Chief of Police, the Chief of Police shall have the authority, upon determining that the loss of inconvenience which would result to any party in interest would be extraordinary and of such nature as to warrant special consideration, to grant a permit for a period necessary within which time such work and operation may take place within the hours of 10:00 p.m. and 7:00 a.m.
- (g) **Schools, courts, churches, hospitals.** The creation of any excessive noise near or adjacent to any school, institution of learning, church, or court while in use, or near or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in the streets indicating a school, hospital, or court street. No person, while on public or private grounds adjacent to any building, or while within any building in which a school or any class thereof is in session, shall willfully make or assist in the making of any noise or diversion which disturbs or tends to disturb the peace or good order and operation of such school session or class thereof.
- (h) **Exceptions.** The provisions of this Section shall not apply to:
  - (i) Any vehicle of the Town while engaged in necessary public business.
  - (ii) Excavations or repairs of streets or other public construction by or on behalf of the Town, County, or State at night when public welfare and convenience renders it impossible to perform such work during the day.
  - (iii) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in nature.