

City of Crooks  
Ordinance #290  
An ordinance pertaining to the regulation of noise

WHEREAS, the City of Crooks desires to establish regulations pertaining to the regulation of noise in the municipality; and

WHEREAS, the City of Crooks has the lawful authority to regulate by and through the use of its existing municipal powers.

BE IT ORDAINED BY THE CITY OF CROOKS, SOUTH DAKOTA AS FOLLOWS:

Section 1. General Regulation. No person, firm, corporation or other legal entity shall cause, create or maintain any unreasonably loud noise or disturbance which is injurious to, or interferes with, the public health, safety, welfare, peace, comfort, convenience, repose or other interests of persons in the vicinity or on nearby properties. Any such noise or disturbance is hereby declared a nuisance per se.

Section 2. Specific Violations. The following noises and disturbances, when unreasonable in time, manner or volume and injurious to, or interferes with, the public health, safety, welfare, peace, comfort, convenience, repose or other interests of persons in the vicinity or on nearby properties are declared to be a violation of this Ordinance. Each of the following acts is declared unlawful and prohibited, but this enumeration shall not be deemed to be exclusive.

1. It shall be unlawful between the hours of 11:00 p.m. to 6:00 a.m. for any person to make, create, maintain or permit any loud, unnecessary noise of such character, intensity, or duration, either steadily or intermittently, at any place which annoys, disturbs, endangers or impairs the comfort, health, convenience, safety, welfare, enjoyment and peace and quiet of other persons in the vicinity.
2. Erecting, excavating, demolishing, altering or repairing any building or premises in any part of the City, and including streets and highways, in such a manner as to emanate unreasonable or excessive noise, or disturbance annoying to other persons, other than between the hours of 7am to 9pm.
3. Operating any proving ground, testing area, obstacle course for motor vehicles, motorcycles, boats, automobiles or vehicles of any kind or nature in any area of the City where the noise emanating from it would be disturbing and upsetting to another person in the vicinity.

Section 3. Exceptions. None of the above-listed prohibitions shall apply to the following:

1. Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in emergency activities;
2. Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of South Dakota, Minnehaha County, City of Crooks or other entity with jurisdiction of same.
3. Farming.
4. Industrial activities conducted in a properly zoned light or heavy industrial area.
5. Warning devices emitting sound for warning purposes as authorized by law.
6. School sporting events that run into overtime.

7. Any event that receives a special events permit from the city council that allows noise from that event between 11:00 p.m. and 6:00 a.m.
8. Domestic power equipment (including but not limited to generators, power saws, drills, grinders, lawn and garden tools and other domestic power equipment intended for use in residential areas by a homeowner) in emergency situations only.
9. Refuse and delivery vehicles.

Section 4. Violations of Noise Regulations. The violation of any provision of this ordinance shall be subject to a \$100.00 fine per offense. In addition to the imposition of penalties, violations of Ordinance #290 are deemed and declared to be a nuisance, and as such may be subject to summary abatement by means of a restraining order or injunction issued by a court of competent jurisdiction.

Ayes: Harstad, Richardson, Maras, Beyer

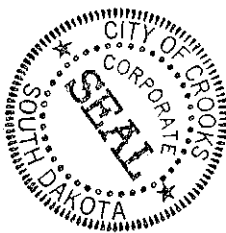
Nays:

Abstains:



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F. Butch Oseby, Mayor  
City of Crooks, South Dakota



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Tobias Schantz, Finance Officer  
City of Crooks, South Dakota

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