

**TOWNSHIP OF DEERFIELD**  
**NOISE CONTROL ORDINANCE**

**Ordinance No. 37.20**

An ordinance to regulate excessive noise which would create a public nuisance or disturb the public peace within the township and to provide penalties for the violation thereof.

**Section 1. DEFINITIONS.** For the purposes of this ordinance, the following definitions of terms are to be used. Words not defined here shall have their normal meanings.

- a. **EXCESSIVE NOISE:** Excessive noise shall be deemed to be over 85 decibels measured at the property line.
- b. **LICENSED MOTOR VEHICLE:** All motorized vehicles licensed for regular use upon the public roads.
- c. **OFF-ROAD VEHICLE:** All motorized vehicles which are not licensed for regular use on the public roads as a motor vehicle.
- d. **PRIVATE NOISE NUISANCE:** A civil wrong by which excessive noise interferes with the use and enjoyment of the property of three (3) or fewer property owners.
- e. **PUBLIC NOISE NUISANCE:** A nuisance caused by excessive noise which annoys a neighborhood in general and not merely some particular person. To constitute a public noise nuisance under this ordinance, there must be complaints from a minimum of four (4) owners of different properties, within 500 feet of the property on which the noise is being created.

**Section 2. GENERAL PUBLIC NOISE NUISANCE PROHIBITION.** No person shall cause excessive noise to be created which by its loud and/or continuous nature constitutes a public noise nuisance.

**Section 3. PRIVATE NOISE NUISANCE.** A private noise nuisance is a tort, which must be addressed in civil court by the person(s) affected and not as an ordinance violation.

**Section 4. LICENSED MOTOR VEHICLES.**

- a. No licensed motor vehicle shall be operated within the township unless it is equipped with a standard muffler, (not low restriction or "racing exhaust"), system in good working order.
- b. No licensed motor vehicle shall create a noise to a level that it becomes a public noise nuisance.

**Section 5. OFF-ROAD VEHICLES.**

- a. No off-road vehicle shall create noise to a level that it becomes a public noise nuisance.
- b. No off-road vehicle shall be operated within the township unless it is equipped with a spark arrestor type muffler approved by the United States forest service and which effectively prevents loud noises therefrom.
- c. No off-road vehicle shall be operated within 200 feet of a dwelling unless it is being operated legally on a public road or such dwelling is occupied by the operator of the off-road vehicle.
- d. No off-road vehicle shall be operated in such a manner as to cause excessive noise longer than one hour per day beyond boundaries of the property on which the noise originates between the hours of 8:00 a.m. and 8 p.m.

**Section 6. NIGHT DISTURBANCES.** No noise that creates a public nuisance, over 70 decibels (e.g. ordinary conversation) (measured at the property line on which the noise originates), shall be made on any private property within the township between the hours of 8:00 p.m. and 8:00 a.m.

**Section 7. DOGS.** No person shall permit any dog which is harbored on their premises to create a public noise nuisance by loud, frequent barking, howling, or other noise.

**Section 8. OTHER NOISES.** In the event there are noises that are alleged to be public nuisances and do not seem to fit into other sections of this ordinance, then the code enforcer will make a determination as to whether it constitutes an ordinance violation or not bearing in mind the necessity, frequency, duration, reasonableness, locality, time of occurrence, and decibel level.

**Section 9. AGRICULTURAL AND BUSINESS EXEMPTION.** This ordinance shall not apply to noises caused by farm or business operations which are carried on in an area properly zoned for that activity, providing that the activity causing the noise is necessary to the farm or business operation.

**Section 10. CODE ENFORCEMENT.** The Deerfield Township Ordinance Complaint Policy shall be followed.

**Section 11. WAIVER.** Permission to waive particular provisions of this ordinance may be granted by the Township Board for specific events or social occasions.

**Section 12. PENALTY.** Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Deerfield Township Civil Infraction Ordinance, being Ordinance Number 40.

**Section 13. REPEAL.** The former Deerfield Township Noise Control Ordinance No. 37.10 as adopted on September 19, 2001 is hereby repealed in its entirety.

The undersigned Supervisor and Clerk of the Township of Deerfield hereby certify that this amended Noise Ordinance was duly adopted by the Township Board at a meeting held on the 17 day of June, 2010 and was published in LA View on the 15 day of July, 2010. This Ordinance shall become effective thirty (30) days after the date of publication.

Raymond R. Hayes  
Raymond R. Hayes, Supervisor

Debra S. Oliver  
Debra S. Oliver, Clerk