

***Ordinance of the County Board
of
Kankakee County, Illinois***

RE: ADOPTING A NOISE POLLUTION ORDINANCE

WHEREAS, noise pollution as defined herein is a public nuisance and can be detrimental to safety, health and public welfare of the people of this county and should be enjoined as necessary to protect the people of Kankakee County; and,

WHEREAS, according to 415 ILCS 5/24 any noise that unreasonably interferes with the enjoyment of life or with any lawful business or activity that is emitted beyond the boundaries of its property would violate any regulation or standard adopted by the Board under this Act; and,

WHEREAS, at the Criminal Justice Committee Meeting of July 17, 2012, after discussion, review and consideration, it was determined by the committee that a noise pollution ordinance should be enacted and the following language should be added to the Kankakee County Code as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KANKAKEE, ILLINOIS:

Section 42-6 Noise Pollution

- (a) No person or business entity shall engage in any act which causes to be emitted a loud, unreasonable or unnecessary noise which injures or endangers or diminishes the health, peace, safety or welfare of others, or similarly causes a disturbance to the public.
- (b) No person or business entity shall cause or allow the emission of sound beyond the boundaries of his or her property sound that unreasonably interferes with the enjoyment of life or with any lawful business or activity between the hours of 10:00 p.m. and 7:00 a.m.
- (c) Any acts falling under (a) and (b) of Sec. 42.6 shall be deemed a public nuisance from which legal remedies shall be available.

(d) The following exceptions shall not be violations of Sec. 42-6:

1. Sirens and bells on emergency vehicles.
2. Fire and burglar alarms.
3. Civil defense warning systems.
4. Train whistles and horns.
5. Authorized fireworks displays.
6. Authorized concerts and parades.
7. Other properly permitted activities.

35 Ill. Admin. Code, Ch.1 Section 900.1 et seq. 415 ILCS 5/24

Sec. 42-7 Enforcement of Nuisances

Enforcement of provisions contained in Article I shall be the responsibility of the Kankakee County Sheriff's Department.

Prosecution of any ordinance violations shall be the responsibility of the State's Attorney.

Sec. 42-8 Remedies

Any person violating this article is subject to the following:

- (a) The issuance of a non-traffic complaint ticket by an authorized person in his or her official capacity.
- (b) Injunctive relief brought by the County through the State's Attorney's Office.
- (c) Any violation of this Article shall be a petty offense and shall be subject to a minimum \$75 fine. Such fine may be paid directly to the Circuit Clerk's Office if the person wishes to plead guilty or on scene through electronic payments through the Sheriff's Department if available.
- (d) A person wishing to plead not guilty shall appear on the designated court date. Any party found guilty or pleading guilty in court will also be subject to applicable court costs. Any violation which has resulted in injury to another party or damage to property which may give rise to a claim for restitution shall be subject to a mandatory court date, as determined by the officer on scene.
- (e) In cases of multiple offenses, a complaint may be brought against the owner of record and/or the responsible party subject to a fine of not less than \$75, but not more than \$1000 in accordance with Section 1-9. Such complaint will require a court appearance.

NOW THEREFORE, BE IT ORDAINED by the Kankakee County Board that a Noise Pollution Ordinance shall become effective upon the passage of this resolution.

PASSED and adopted this 14th day of August, 2012.



Michael Bossert, County Board Chairman

ATTEST:



Bruce Clark, County Clerk