

ORDINANCE NO. 22-05-01

AN AMENDMENT TO ORDINANCE NO. 98-27
A NOISE AND NUISANCES ORDINANCE

BE IT ORDAINED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BUCKNER, FRANKLIN COUNTY, ILLINOIS, A MUNICIPAL CORPORATION, THAT THE SECTION ENTITLED PENALTY BE AMENDED AS FOLLOWS:

FINES AND PENALTIES

First offense—any person violating any provisions any provision of this Ordinance shall upon conviction be issued a written warning for the first violation. Violation will be recorded at the Village Hall.

Second offense—a fine of \$75.00 will be issued.

Third offense—Franklin County Sheriff's Office will be notified.

- I. All other portions of Ordinance NO.98-27 (A Noise An Nuisances Ordinance) shall remain unaffected by this Ordinance.
- II. If any portion of this Ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of the Village Ordinance, and it is expressly declared that every other portion of the Village Ordinance not so adjudged or declared invalid is valid.
- III. This Ordinance shall be in full force and effect after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS 19th DAY OF MAY, 2022

Anna J Culbreth
Mayor

ATTESTED

Mary Ann A. Mulpas
Village Clerk

Motion by Charles Mulpas and second by Nicole Dolderer

Roll call votes were: Burkard, Eric--- AYE
Dolderer, Nicole AYE
Elko, Travis--- ABSENT
Gowers, Caren- ABSENT
Mulpas, Charles--- AYE
Young, Courtney--- AYE

VILLAGE OF BUCKNER

ORDINANCE NO. 98-27

A NOISE AND NUISANCE ORDINANCE

**ADOPTED BY THE VILLAGE BOARD
OF THE
VILLAGE OF BUCKNER, ILLINOIS
THIS 12TH DAY OF NOVEMBER, 1998**

Published in pamphlet form by the authority
of the Village Board of the Village of Buckner,
Illinois, Franklin County, Illinois, this
12th day of November, 1998.

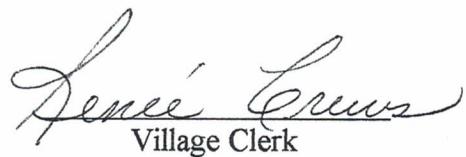
CERTIFICATE

I, Renee Crew, certify that I am the duly appointed and acting Village Clerk of the Village of Buckner of Franklin County, Illinois.

I further certify that on November 12, 1998, the Corporate Authorities of such Municipality passed and approved Ordinance No. 98-27, regarding "A Noise and Nuisance Ordinance," which provided in its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 98-27, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance is available at the Buckner Community Building (Village Hall), Main Street, Buckner, Illinois on November 12, 1998 and continuing for at least ten (10) days thereafter and upon request at any time hereafter. Copy of such Ordinance is available for public inspection upon request of the Village Clerk.

DATED at Buckner, Illinois this 12th day of November, 1998.



Renee Crews
Village Clerk

ORDINANCE NO. 98-27

A NOISE AND NUISANCES ORDINANCE

Be it ordained by the President and the Board of Trustees of the Village of Buckner that the following is established:

(A) It shall be unlawful for any person to make, continue, permit or cause to be made, continued or permitted any excessive, unnecessary loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the city limits.

(B) *Noises prohibited, unnecessary noise standard.* The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but the enumeration shall not be deemed to be exclusive, namely:

(1) *Radios, phonographs and the like.* The using, operating or permitting to be played, used or operated any radio or television receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for the convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be *prima facie* evidence of a violation of this section unless a special use permit is issued by the Village.

(2) *Animals and birds.* The keeping of any animal or bird which by causing frequent or long continued barking or other noise shall disturb the comfort or repose of any person in the vicinity. (See Penalty)

PENALTY.

Any person violating any provision of this Ordinance shall upon conviction be issued a written warning for the first violation and a fine of \$300.00 for each offence thereafter.

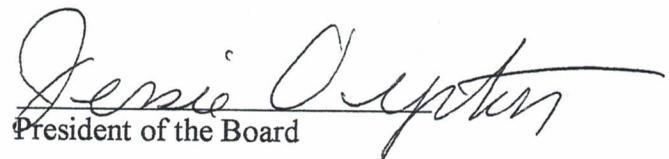
PASSED BY the Board of Trustees of the Village this 2nd day of February, 1998.

APPROVED BY the President of the Board of Buckner, Illinois this 2nd day of February, 1998.

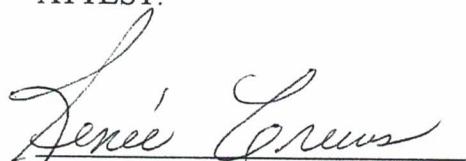
Vote: Crews AYE Sneddon AYE Howland AYE Gouge AYE
Avery ABSENT

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

APPROVED:


President of the Board

ATTEST:


Jenee Crews
Village Clerk