

ORDINANCE: 07-03-01

AN ORDINANCE REGULATING SOUND AMPLIFICATION SYSTEMS IN VEHICLES

WHEREAS, the uses of loud sound amplification systems in vehicles presents a health and safety hazard to the citizens and motoring public of the Village of Rockford; and

WHEREAS, the use of loud sound amplification systems in vehicles can prevent the operator of the vehicle and others from hearing approaching or overtaking emergency vehicles; and

WHEREAS, the use of loud sound amplification systems in vehicles interferes with the comfortable enjoyment of life, property and recreation, and with the conduct and operation of business and industry; and

WHEREAS, the use of loud sound amplification systems in vehicles causes nuisances;

NOW THEREFORE, be it ordained by the Council of the Village of Rockford, Mercer, County, Ohio, two-thirds of the members elected thereto concurring, to it:

Section 1: (A) That no operator or passenger of a motor vehicle shall operate, or permit the operation of any sound amplification system which can be heard outside the vehicle from 150 or more feet when the vehicle is being operated or parked upon a street highway, or private property used by the public for purposes of vehicular travel or parking.

(B) "Sound amplification system" shall include any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of the human voice, music, or any other noise or sound.

(C) It is an affirmative defense to a charge under this section that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply.

(1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition.

(2) The vehicle was an emergency or public safety vehicle.

(3) The vehicle was owned and operated by Federal,

State, or Local Government agency; or a gas, electric, communications, refuse, water utility company, or construction company.

- (4) The vehicle is being used in a parade.

Section 2: That the penalty for this offense shall be as follows:

- (A) First offense shall be considered first and ONLY warning issued by the Village of Rockford Police Department, Mercer County Sheriff Department, or Ohio State Highway Patrol.
- (B) Second offense shall be considered a Minor Misdemeanor with the fine not to exceed that which is allowable under the Ohio Revised Code.
- (C) Third Offense shall be considered a Misdemeanor IV with the fine and other appropriate punishment not to exceed that which is allowable under the Ohio Revised Code.