

**Village of Mantua, Ohio**  
**ORDINANCE 2014-31**

**AN ORDINANCE ENACTING SECTIONS 509.08(f) AND (g) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MANTUA, RELATING TO NOISE FROM OUTDOOR HOUSEHOLD EQUIPMENT.**

**WHEREAS**, due to recent complaints within the Village, the Chief of Police has recommended the enactment of noise regulations relating to Outdoor Household Equipment.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Mantua, a majority or more of the members elected thereto concurring that:

**SECTION 1.** Section 509.08(f) and (g) of the Codified Ordinances of the Village of Mantua are hereby enacted as follows:

**509.08 UNREASONABLE NOISE OR LOUD SOUND PROHIBITED;  
SOUND AMPLIFICATION DEVICES; PENALTY....**

(f) Outdoor Household Equipment

- (1) No person shall operate engine or motor powered lawn or maintenance tools or other machinery intended for use in residential areas, typically capable of being used by homeowners and residential occupants (including but not limited to power mowers, garden tools, riding tractors, power saws, edgers and generators) which create a noise that is plainly audible from a distance of fifty feet or more, except between the hours of 8:00 a.m. and 9:00 p.m. on weekdays, and between the hours of 9:00 a.m. and 9:00 p.m. on weekends and legal holidays.
- (2) Outdoor household equipment must have mufflers, where applicable, in good working condition.
- (3) Snow blowers and snow plows are exempted from the time requirements of this subsection when removing snow and ice.

- (g) Penalty. Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. Citations shall be issued to a person present at the time of the alleged offense.

**SECTION 2.** All other provisions of the Codified Ordinances of the Village of Mantua, including the remaining provisions of Section 509.08, shall remain in full force and effect.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure, effective immediately upon its passage by two thirds or more of the members elected to the Mantua

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Village Council, for the reason that this Council desires to address ongoing and recurrent incidents of unreasonable noise within the community that are causing nuisance and annoyance to Village residents at the earliest possible time, and to further protect the health, safety and welfare of the municipality, otherwise to become effective at the earliest period allowed by law.\*\*

PASSED In Council this 17<sup>th</sup> day of July, 2014.

1st Reading: May 20, 2014

2<sup>nd</sup> Reading: June 17, 2014

3<sup>rd</sup> Reading: July 15, 2014

Effective: August 14, 2014

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

I hereby certify the above Ordinance was duly posted at the five (5) public notice locations in the Village of Mantua, Ohio.

\_\_\_\_\_  
Clerk

Approved as to Legal Form:

\_\_\_\_\_  
Michele A. Stuck  
Solicitor, Village of Mantua

\*\* Vote upon Ordinance 2014-31 resulted in a tie of 3 yeas and 3 nays. The Mayor was required to break the tie, and voted yea. The Ordinance passed, but did not receive the required 2/3 vote needed to satisfy the Emergency legislation requirements of Ohio Revised Code 731.30, in order to render it effective immediately. The Ordinance will therefore become effective 30 days after passage, August 14, 2014.