

**TOWN OF SCHLESWIG  
MANITOWOC COUNTY, WISCONSIN**

**ORDINANCE NO. 2004- 02**

**AN ORDINANCE TO PROVIDE FOR THE PROHIBITION  
AND REGULATION OF NOISE**

The Town Board of the Town of Schleswig, Manitowoc County, Wisconsin, pursuant to its village powers under Section 60.10(2)(c) and Section 60.22(3), Wis. Stat., in order to provide for the public health, safety, and welfare, do ordain as follows:

**SECTION 1. PROHIBITION OF NOISES DISTURBING THE PUBLIC PEACE.**

(1) It shall be unlawful for any person to make or assist in making any noise tending to unreasonably disturb the comfort or peace and quiet of persons or tending to cause or provoke a disturbance unless the making and continuing of said noise (a) cannot be prevented and (b) is necessary for the protection or preservation of property or of the public health and safety, or that of one or more persons.

(2) It shall be unlawful for any person occupying or having charge of any building, or any premises outside a building, or any part thereof, to cause, suffer, or allow any loud, excessive, or unusual noise in the operation or use of any loud speaker, sound amplifier, or other electronic, mechanical, or electrical sound amplifier system when the loud, excessive, or unusual noise tends to cause or provoke a disturbance or tends to unreasonably disturb the comfort or peace and quiet of persons.

**SECTION 2. OUTDOOR USE PERMIT REQUIRED.**

(1) No person shall use or cause the use of a sound speaker system, sound amplifier, or other similar electronic sound amplification system or device outdoors in the Town of Schleswig without first obtaining a permit therefor from the Town Board or its designee.

(2) The application for a permit shall be in writing and shall contain information as requested by the Town Board or designee.

(3) No permit shall be granted hereunder for use between the hours of 10:00 p.m. and 7:00 a.m.

(4) The Town Board or designee shall indicate on any permit issued hereunder the specific day and hours for the use, the type of use, the location of use, and any other reasonable restrictions or conditions as determined by the Town Board or designee.

(5) The Town Chairman shall have the authority to revoke forthwith any permit when the Town Chairman believes the use of such sound speaker system, sound amplifier, or other similar electronic sound amplification system constitutes a violation of this Ordinance. In the event of revocation, the permittee shall immediately cease the use of the sound speaker system, sound amplifier, or other similar electronic sound amplification system.

(6) Each day of an event requires a separate permit.

(7) The fee for each permit is \$25.00 payable prior to issuance of the permit.

**SECTION 3. DEFINITIONS.** As used in this Ordinance, the following words shall have the following definitions:

(1) "Outdoors" means an area outside of a structure, and includes areas which may be partially covered, such as a band shell, pavilion, or open-air building.

(2) "Person" means any individual, partnership, corporation, limited liability company, government, or any other entity.

SECTION 4. PENALTY. Any person who shall violate any provision of this Ordinance, or any regulation, rule, or order made hereunder, or any term of a permit issued hereunder, shall be subject to a penalty of Fifty (\$50.00) Dollars for the first offense and a penalty of One Hundred (\$100.00) Dollars for the second and each successive offense, together with statutory court costs and costs of prosecution.

SECTION 5. SEVERABILITY. The provisions of this Ordinance are severable. In the event any portion thereof is found to be void or unenforceable by a court of competent jurisdiction, the remaining portions thereof shall remain in full force and effect.

Adopted FEBRUARY 12, 2004.

TOWN OF SCHLESWIG TOWN BOARD

By: Melvin Waack  
Melvin Waack, Chairperson

ATTEST:

By: JoEllen Gramling  
JoEllen Gramling, Clerk